

State of Missouri Public Defender Commission



Fiscal Year 2008 Annual Report

Assuring the Public Defense

The Right to Counsel and the State Public Defender System in Missouri

J. Marty Robinson, State Public Defender, Director
Kathleen L. Lear, Comptroller/Legislative Liaison

[Http://www.publicdefender.mo.gov](http://www.publicdefender.mo.gov)

October 1, 2008



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J. Marty Robinson
Director

Kathleen L. Lear
Comptroller

MEMORANDUM

TO: Governor Blunt
Chief Justice Stith
Members of the Supreme Court
Members of the General Assembly
Presiding Judges

FROM: J. Marty Robinson, Director
Members of the State Public Defender Commission

DATE: October 1, 2008

RE: Fiscal Year 2008 Annual Report

On behalf of the 558 dedicated professionals that comprise Missouri's State Public Defender System, it is our duty to present this Annual Report for the fiscal year ended June 30, 2008.

Herein you will find a wealth of information and statistics regarding the operations of the State Public Defender during FY2008. Moreover, a historical review of the State Public Defender's 1972 origin will give you a sense of where we have been. Finally, a summary of our fiscal year 2010 budget request presents a vision of where we need to be in the future.

Indeed, if we do not make substantial progress towards this vision soon, the future of the Criminal Justice System in the State of Missouri is incredibly bleak.

Since the State Public Defender is legal counsel in about 80% of all criminal cases, any issue facing the State Public Defender is by definition an issue of the entire State Criminal Justice System. The crux of the problem is easily stated and circular in nature.

The State Public Defender is without the staffing necessary to accomplish its constitutionally mandated mission; and, the State Public Defender has no mechanism with which to control its workload to correspond with its staffing level.

Simply stated: The 558 dedicated professionals of Missouri State Public Defender System are too few, or their mission is too great. The concern is not about reducing the number of hours these devoted state employees must work. The concern is about providing fair, effective, constitutionally guaranteed representation to the indigent accused in the State of Missouri. A person's inability to hire a private attorney should not reflect on the quality of representation they receive.

Public Defender's have an ethical responsibility to not take on more cases than they can effectively handle. They risk possible loss of their license to practice law if they do so and are also subject to professional discipline. Yet, they lack any effective mechanism to regulate their caseload.

Behind each case is a real person, economically disadvantaged, but entitled to every time-honored right afforded by our Constitution. The dedicated men and women who serve as Missouri Public Defenders do their best to protect these rights despite the statistics ...and odds.

Statistics, however, do not tell the whole story.

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Public Defender Commission
Annual Report – Fiscal Year 2008

I. The Public Defender System

In response to the guarantee of effective assistance of counsel contained in both the United States and Missouri constitutions, the Missouri State Public Defender System was established on April 1, 1982 as a “system for providing defense services to every jurisdiction within the state by means of a centrally administered organization having a full-time staff.” Through this Department of State government, constitutionally required defense services are provided to eligible persons. This was accomplished through an organized program able to respond to the needs of all judicial jurisdictions within the state. As the caseloads have increased with no corresponding increase in resources, the Public Defender is no longer capable to respond to all of these needs.

THE CONSTITUTIONAL MANDATE FOR PUBLIC DEFENSE

The United States Supreme Court has interpreted the Sixth Amendment of the U.S. Constitution to require the appointment of counsel in any state or federal criminal prosecution that may lead to imprisonment for any period of time.

See generally, *Alabama v Shelton*, 535 US 654, 662 (2002); *Strickland v Washington*, 466 U.S. 688, 684-86 (1984); *Scott v Illinois*, 440 U.S. 367, 373-74 (1979); *Argersinger v. Hamlin*, 407 U.S. 25, 30-31 (1972); *Gideon v. Wainwright*, 372 U.S. 335, 342-45 (1963).

CONSTITUTION OF THE UNITED STATES OF AMERICA

BILL OF RIGHTS, AMENDMENT VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

CONSTITUTION OF THE STATE OF MISSOURI

ARTICLE I, SECTION 18(A)

That in criminal prosecutions the accused shall have the right to appear and defend, in person and by counsel; to demand the nature and cause of the accusation; to meet the witnesses against him face to face; to have process to compel the attendance of witnesses in his behalf; and a speedy public trial by an impartial jury of the county.

Indigent Defense Services in Missouri: A Time Line

1963— *Gideon v. Wainwright*: The U.S. Supreme Court ruled that the Sixth Amendment to the U.S. Constitution's guarantee of the right to assistance of counsel in one's defense in a criminal prosecution extended even to those unable to hire their own attorney.

1972— Missouri enacted Chapter 600 gathering together a blended system of local public defender offices and appointed counsel programs under the auspices of a Public Defender Commission. Funding was provided by federal Law Enforcement Assistance Grants through the Department of Justice. In Missouri, these funds, along with additional "High Impact" grants for urban areas, were used to create public defender offices in St. Louis and Kansas City; and to pay appointed counsel in the rest of the state.

1977— Eighteen of Missouri's 43 judicial circuits were covered by public defender offices, with the remainder still relying on an appointed counsel system under which the judge assigned cases to members of the private bar. OSCA administered the program for the Public Defender Commission.

1982— The Office of the Missouri State Public Defender was created as an independent state department within the judicial branch. The appointed counsel program was eliminated in favor of contract counsel – private practitioners who agreed to take on all indigent clients in a particular area in return for a set contract fee, with supplemental adjustments as appropriate based on numbers and types of cases.

1989— Due to the rising cost of the contract counsel program and the increasing difficulty finding private practitioners willing to take on indigent cases for the fees paid by the State Public Defender System, the system was reorganized under the administration of Governor John Ashcroft. The new system eliminated all contract arrangements and replaced them with public defender offices, staffed with full time public defenders, covering all counties in the state.

The Missouri State Public Defender System was also reorganized at that time into three legal services divisions -- Trial, Appellate/Post-Conviction Relief, and Capital – in order to improve efficiency through specialization of practice areas. The Trial Division (a map detailing the trial district offices can be found on page 60 of this report) provides legal services at the trial level throughout the state and is subdivided into thirty-six district offices. The Appellate Division, which provides legal services for cases in the Appellate and Supreme Courts and with post-conviction matters in the trial courts, has offices in Kansas City, St. Louis, and Columbia. The Capital Division, which provides representation in cases at trial and on appeal when the death penalty is sought by the prosecution, has offices in Kansas City, St. Louis, and Columbia.

Because of the caseload overload, almost all District Defenders are also carrying full caseloads, leaving little to no time to attend to management responsibilities such as coaching, training, mentoring their employees; monitoring and correcting employee performance; addressing personnel issues; ensuring compliance with such federal mandates as Federal Wage and Hour laws, FMLA, etc. This failure contributes to turnover as employees become frustrated with the lack of supervisor support and responsiveness, jeopardizes client services as new attorneys are left without adequate supervision, and leaves the state at risk of liability due to these management failures.

Mission Statement

The mission of the Missouri State Public Defender System is to provide high quality, zealous advocacy for indigent people who are accused of crime in the State of Missouri.

The lawyers, administrative staff, and support staff of the Public Defender System will ensure that this advocacy is not comprised.

To provide this uncompromised advocacy, the Missouri State Defender System will supply each client with a high-quality, competent, ardent defense team at every stage of the process in which public defenders are necessary.

What Does a Public Defender Do?

Every Missouri Public Defender is an attorney, licensed to practice law in the State of Missouri. When an individual is accused of a crime and requests a lawyer, a referral is made to the public defender office handling the cases in the county where the charge has originated. After an accused makes application for public defender services, the public defender makes a determination using financial guidelines established by the State Public Defender Commission as to whether or not the accused is indigent and eligible for public defender representation. If the accused is found eligible by the defender, the defender undertakes representation of the accused. If the defender does not find the accused eligible, the accused may appeal the defender's determination to the court. Only then, and only if the court disagrees with the defender's determination, may the court order the defender to represent the accused.

In most jurisdictions, the public defender is the legal counsel for 75-80% of the cases on the criminal docket. The process of representing the indigent accused includes representing the client in all facets of the case. Defenders must interview witnesses, file for discovery, prepare and file appropriate motions, negotiate with the prosecution, prepare trial strategy and do the legal research necessary to provide representation to the client in a court of law. Representation of the accused extends to an appeal if, after the trial, the defendant is found guilty and to probation revocation matters.

MSPD has had no addition to its staff in six years while its caseload has risen by over 12,000 cases. According to an independent assessment by the Spangenberg Group in October, 2005, MSPD is operating in crisis mode and "the probability that public defenders are failing to provide effective assistance of counsel and are violating their ethical obligations to their clients increases every day."

Unlike every other state agency, MSPD only does one thing and it is constitutionally mandated. **MSPD has no mechanism with which to control or reduce its workload to correspond with its staffing levels,** short of refusing cases and throwing the state of Missouri into federal court for constitutionally violating the right of indigent clients to effective assistance of counsel.

An American Bar Association Opinion issued on July 6th, 2006 reiterates that Public Defenders are as obligated as any other attorney under their ethical and professional obligations to refuse cases when caseloads become too high for them to adequately handle the workload and to provide adequate representation. In Missouri, there is currently no back-up plan in place for provision of counsel, should the public defenders have to refuse cases in accordance with their ethical and professional obligations not to take on more cases than they can effectively handle.

Using data from fiscal year 2008, a composite example of a “typical trial division public defender” can be developed. In Fiscal Year 2008, the Trial Division of the Public Defender System opened 82,173 new cases. In Fiscal Year 2008, the Trial Division was allocated 300 attorney positions. Therefore, the “typical trial division public defender” opened 273 cases. This is well above the Department of Justice’s National Advisory Commission on Criminal Justice Standards (NAC) recommended caseload for public defenders. The NAC standard is 225 cases per year.

The breakdown by category of cases handled by the “typical trial division defender” is shown below:

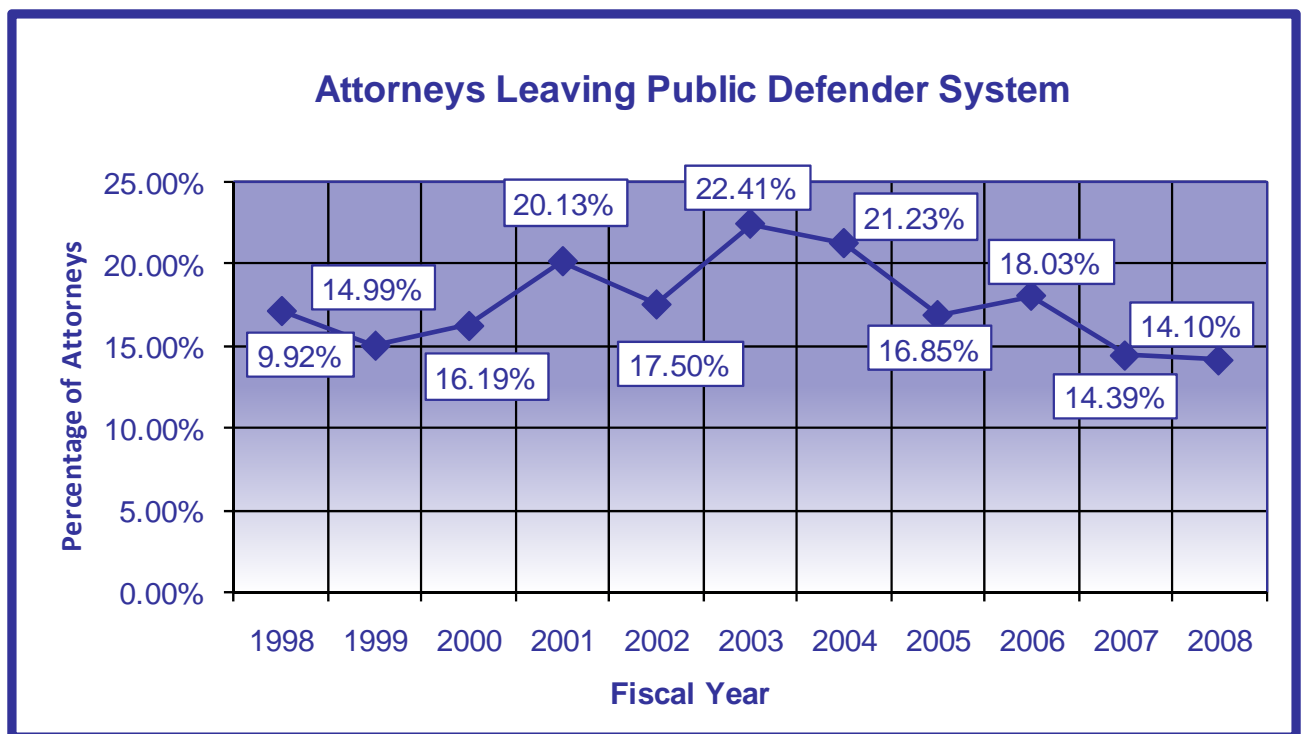
Fiscal Year 2008 State Public Defender Trial Division Typical Caseload	
Description	# of Cases
Homicide	1
A-B Felony	23
C-D Felony	89
Misdemeanor	60
Traffic	26
Juvenile	9
Probation Violations	65
Total Average Caseload Per Trial Division Attorney	273

Providing effective assistance of counsel in each case demands a well-trained, highly experienced corps of dedicated attorneys and support staff.

Over the last ten years, MSPD has experienced the equivalent of 175% turnover in its attorney staff, averaging a 17.58% turnover each year. In Fiscal Year 2007, repositioning adjustment increases were given to MSPD attorneys to try to stem the flow, but the problem is far from solved. Staggering student debt loans (\$60,000—\$100,000) make it impossible for even those called to public interest employment to work for MSPD, make their loan payments, and provide for themselves and their families.

Public Defender salaries have not kept pace with those in the rest of the legal community. As a result of the relatively low salaries, high caseloads and heavy student loan debt, attorney turnover continues to be a challenge.

In March of 2006, the Personnel Advisory Board of the Office of Administration reviewed the salaries of the Missouri Assistant Public Defenders. Their summary stated: “the pay of the Missouri Assistant Public Defenders is behind the pay of comparable jobs or jobs requiring similar training and experience in the labor market.” “...the minimum starting salary for MSPD Assistant Public Defenders would need to increase 14.5% to equate to the reported average minimum rate of pay of collected survey data.”



Caseload and Cost Highlights

A. Caseload

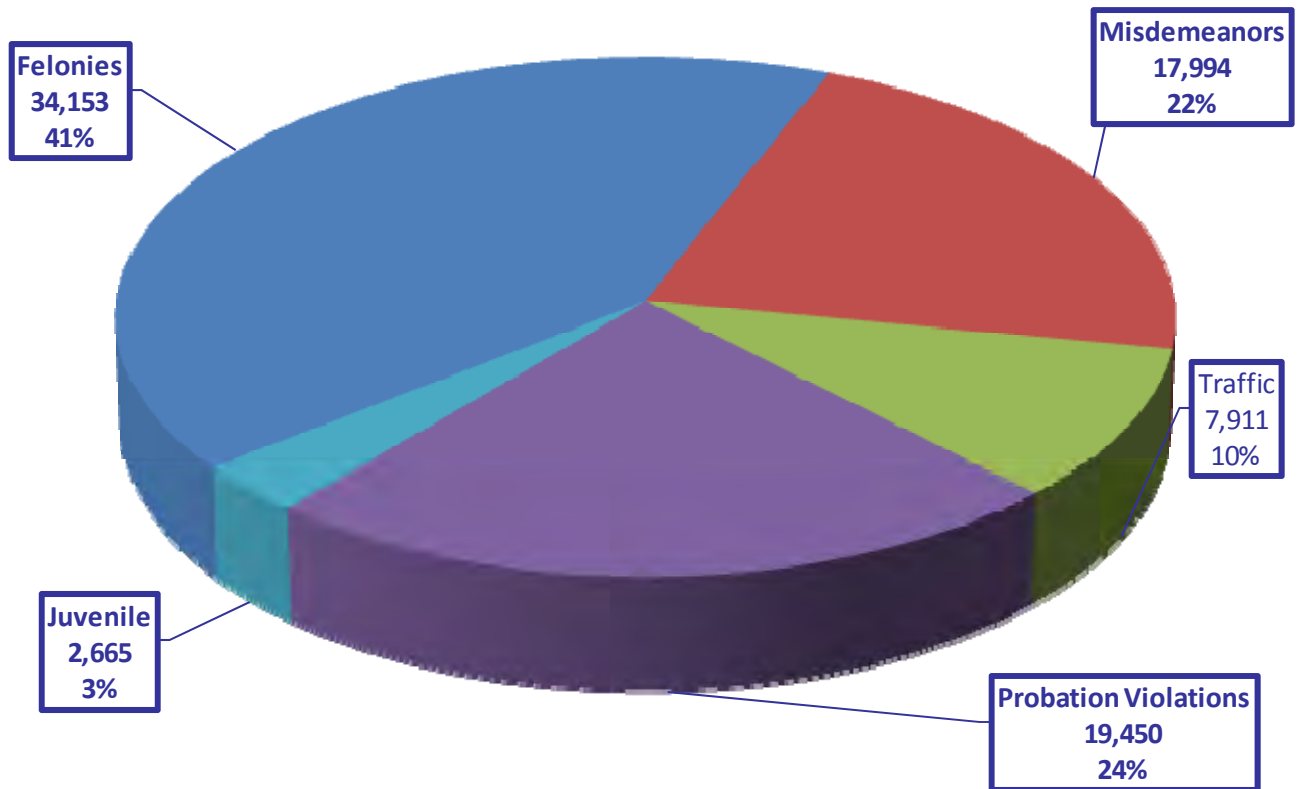
1. New Trial Division Cases

The State Public Defender System's Trial Division opened 82,173 new cases in Fiscal Year 2008.

Of the 85,405 cases opened by the State Public Defender System, 82,173 or 96.22% were opened by the Trial Division.

Fiscal Year 2008 Trial Division Opened Cases by Case Type		
Type Code	Description	Cases Opened
10	Murder - Death Penalty	1
15	Homicide - Non Capital	121
20	Other Homicides	135
30	A-B Felonies	6,947
35	C-D Felonies	26,854
40	Misdemeanor	17,994
45	Misdemeanor - Traffic	7,911
50	Juvenile Status	242
52	Juvenile Criminal	2,423
65	Probation Violation	19,450
	Other	<u>95</u>
	Total Trial Division Cases Opened 2008	82,173

**Fiscal Year 2008
Trial Division Opened Cases
By Case Type**

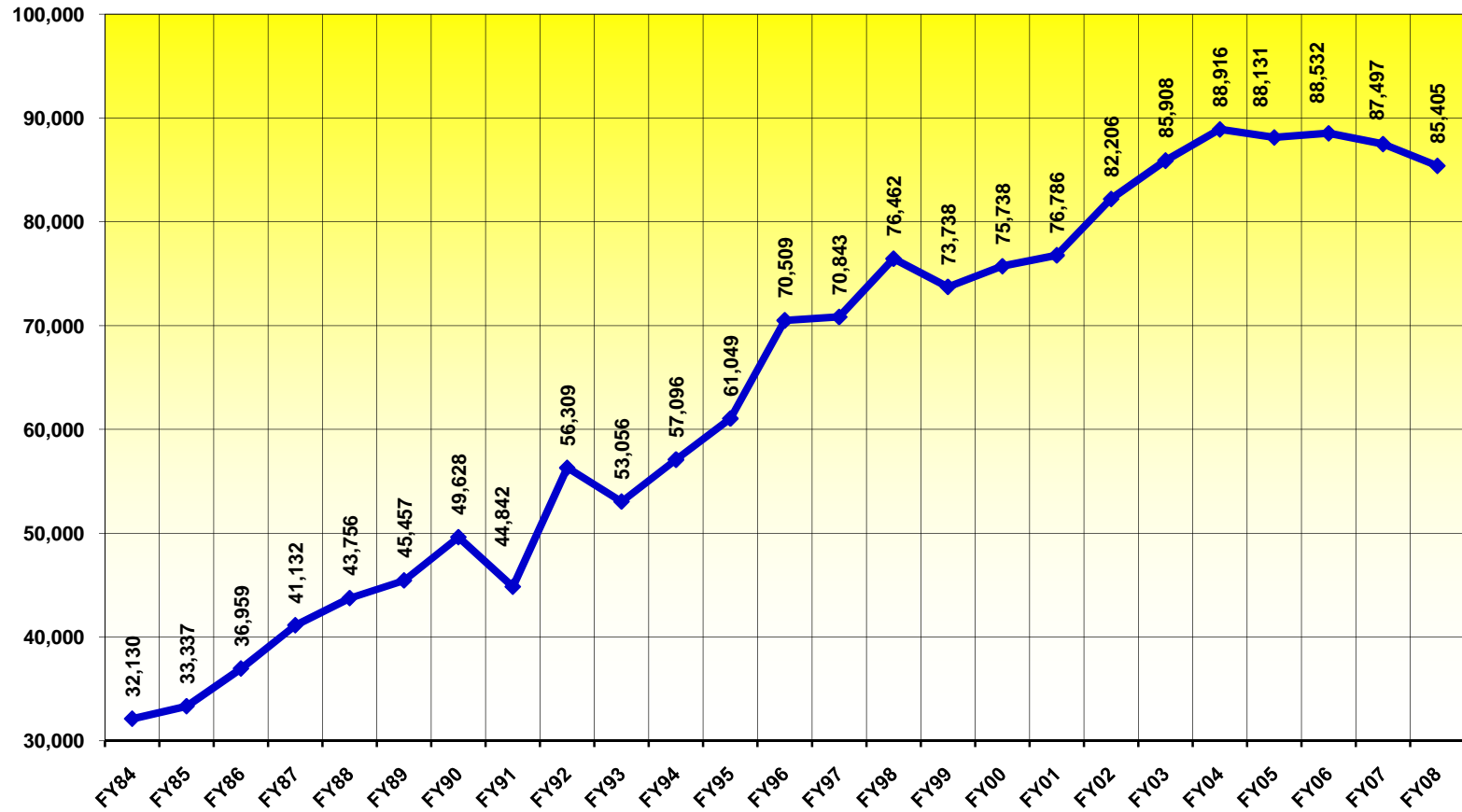


Missouri State Public Defender System

Cases Assigned by Case Type

	Murder 1st	Other Homicide	Felony	Murder + Felony Caseload	Misdemeanor	Juvenile	PCR	Other	Probation Violation	Appeals	Total Opened	Total Closed	Closed to Open Ratio
FY10 PROJECTION	178	185	37,821	38,184	30,742	3,386	934	139	22,660	792	96,837	93,091	0.9613
FY09 PROJECTION	176	173	36,440	36,789	29,243	3,383	879	134	20,835	767	92,030	89,023	0.9673
FY08 ACTUAL	158	154	34,766	35,078	26,098	2,715	1,061	182	19,555	716	85,405	85,116	0.9966
FY07 ACTUAL	174	161	35,109	35,444	27,816	3,380	828	129	19,157	743	87,497	85,133	0.9730
FY06 ACTUAL	138	146	35,339	35,623	28,227	3,676	838	46	19,412	710	88,532	83,260	0.9405
FY05 ACTUAL	156	124	33,282	33,562	28,931	3,881	937	120	20,012	688	88,131	87,180	0.9892
FY04 ACTUAL	154	140	34,422	34,716	28,018	4,258	807	98	20,263	756	88,916	86,356	0.9712
FY03 ACTUAL	195	114	35,425	35,734	25,807	4,147	806	103	18,479	832	85,908	81,059	0.9436
FY02 ACTUAL	163	132	33,183	33,478	25,147	3,918	802	64	18,047	750	82,206	77,165	0.9387
FY01 ACTUAL	182	125	29,934	30,241	22,903	4,488	711	82	17,663	698	76,786	73,438	0.9564
FY00 ACTUAL	147	109	28,019	28,275	24,119	4,998	763	76	16,768	739	75,738	69,591	0.9188
FY99 ACTUAL	182	108	28,892	29,182	23,721	4,629	797	112	14,488	809	73,738	74,570	1.0113
FY98 ACTUAL	196	87	31,591	31,874	24,676	4,270	674	138	14,141	689	76,462	74,495	0.9743
FY97 ACTUAL	169	79	29,663	29,911	21,912	4,075	513	156	13,437	839	70,843	67,870	0.9580
FY96 ACTUAL	175	88	30,198	30,461	23,069	3,612	707	178	11,444	1,038	70,509	70,664	1.0022
FY95 ACTUAL	256	109	27,688	28,053	17,696	3,916	719	165	9,362	1,138	61,049	61,710	1.0108
FY94 ACTUAL	255	152	25,338	25,745	17,852	3,374	682	201	8,225	1,017	57,096	52,453	0.9187
FY93 ACTUAL	301	136	24,402	24,839	15,883	3,146	766	249	7,301	872	53,056	52,363	0.9869
FY92 ACTUAL	282	37	25,458	25,777	19,974	3,372	1,129	167	5,321	569	56,309	55,651	0.9883
FY91 ACTUAL	193	63	21,304	21,560	13,941	2,713	588	169	5,051	820	44,842	49,038	1.0936
FY90 ACTUAL	227	109	23,336	23,672	14,627	3,300	732	369	5,834	1,094	49,628	46,425	0.9355
FY89 ACTUAL	193	149	20,838	21,180	12,902	3,298	1,342	418	5,074	1,243	45,457	42,532	0.9357
FY88 ACTUAL	202	161	20,640	21,003	12,427	3,455	1,006	470	4,475	920	43,756	40,117	0.9168
FY87 ACTUAL	199	145	19,254	19,598	11,736	3,564	755	443	4,308	728	41,132	37,081	0.9015
FY86 ACTUAL	166	175	17,042	17,383	10,602	3,328	612	611	3,815	608	36,959	34,491	0.9332
FY85 ACTUAL	152	172	15,397	15,721	9,126	3,500	543	522	3,293	632	33,337	32,410	0.9722
FY84 ACTUAL	176	175	15,048	15,399	9,256	3,058	534	499	2,878	506	32,130	31,730	0.9876

Public Defender Caseload Analysis



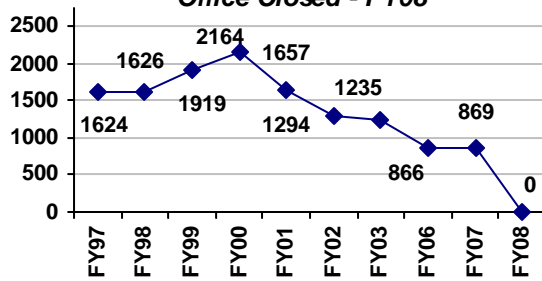
TRIAL DIVISION NEW CASES OPENED
FIVE FISCAL YEAR COMPARISONS - FY2004 to FY2008
BY DISTRICT

District #	District Name	FY04 Cases Opened	FY05 Cases Opened	FY06 Cases Opened	FY07 Cases Opened	FY08 Cases Opened	# Change 2004 to 2008	% Change 2004 to 2008
1	St. Louis Juvenile	1,265	897	866	869	Office Closed		
2	Kirksville	722	678	681	660	505	-217	-30.06%
4	Maryville	736	627	531	585	594	-142	-19.29%
5	St. Joseph	2,276	2,336	2,417	2,287	2,040	-236	-10.37%
6	Kansas City Juvenile	1,322	1,434	1,203	990	Office Closed		
7	Liberty	3,582	3,489	3,415	3,298	3,118	-464	-12.95%
10	Hannibal	1,588	1,670	1,546	1,615	1,432	-156	-9.82%
11	St. Charles	1,680	1,670	1,710	1,943	1,881	201	11.96%
12	Fulton	1,778	1,964	1,780	1,658	1,651	-127	-7.14%
13	Columbia	4,348	4,082	4,713	4,524	4,473	125	2.87%
14	Moberly	1,536	1,628	1,556	1,825	1,759	223	14.52%
15	Sedalia	2,018	1,934	2,002	1,861	1,796	-222	-11.00%
16	Kansas City	9,577	8,520	8,135	7,963	8,470	-1,107	-11.56%
17	Harrisonville	2,627	2,655	2,656	2,721	2,549	-78	-2.97%
19	Jefferson City	1,264	1,120	1,214	2,220	2,347	1,083	85.68%
20	Union	1,615	1,534	1,479	1,381	1,497	-118	-7.31%
21	St. Louis County	3,204	3,698	3,968	3,889	4,217	1,013	31.62%
22	St. Louis City	7,848	7,649	6,924	6,323	6,626	-1,222	-15.57%
23	Hillsboro	1,897	2,614	1,915	1,820	1,463	-434	-22.88%
24	Farmington	2,312	2,163	2,275	2,123	2,443	131	5.67%
25	Rolla	3,489	3,202	3,926	3,459	3,365	-124	-3.55%
26	Lebanon	2,501	2,630	2,844	1,800	1,782	-719	-28.75%
28	Nevada	1,338	1,407	1,213	1,247	1,288	-50	-3.74%
29	Carthage	4,306	4,372	4,166	4,063	3,896	-410	-9.52%
30	Buffalo	1,900	1,926	1,903	1,693	1,514	-386	-20.32%
31	Springfield	4,562	4,923	5,561	5,745	5,573	1,011	22.16%
32	Cape Girardeau	2,837	2,562	2,863	2,715	3,004	167	5.89%
34	Caruthersville	1,049	1,062	1,112	1,115	1,148	99	9.44%
35	Kennett	1,951	1,694	1,693	1,631	1,504	-447	-22.91%
36	Poplar Bluff	1,712	1,844	1,871	2,119	1,829	117	6.83%
37	West Plains	1,170	1,071	1,152	1,538	1,243	73	6.24%
39	Monett	2,074	2,058	2,215	2,397	2,281	207	9.98%
43	Chillicothe	2,685	2,519	2,590	2,652	2,626	-59	-2.20%
44	Ava	686	817	865	904	878	192	27.99%
45	Troy	<u>1,240</u>	<u>1,372</u>	<u>1,366</u>	<u>1,362</u>	<u>1,381</u>	<u>141</u>	11.37%
Total Trial Division New Cases		86,695	85,821	86,326	84,995	82,173	-4,522	-5.22%
		FY2004	FY2005	FY2006	FY2007	FY2008	FY04 to FY08	

New Cases Opened – By District FY1997 to FY2008

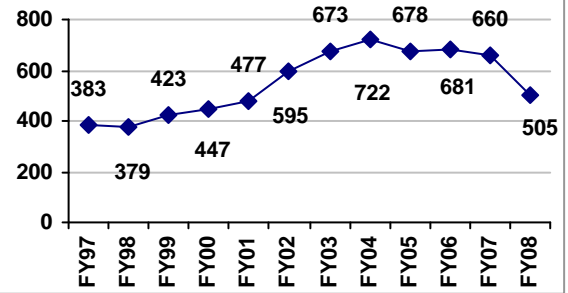
DISTRICT 1

**- St. Louis Juvenile -
Office Closed - FY08**



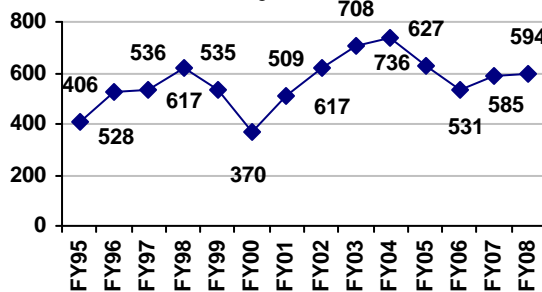
DISTRICT 2

- Kirksville -



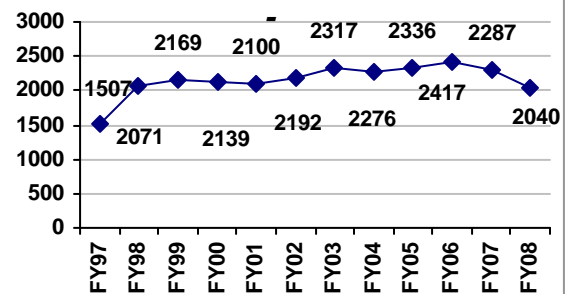
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- Maryville -



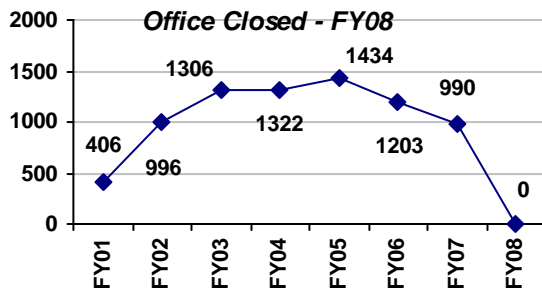
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- St. Joseph -



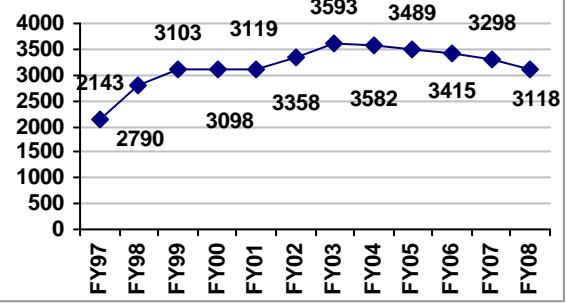
DISTRICT 6

**- Kansas City Juvenile-
Office Closed - FY08**



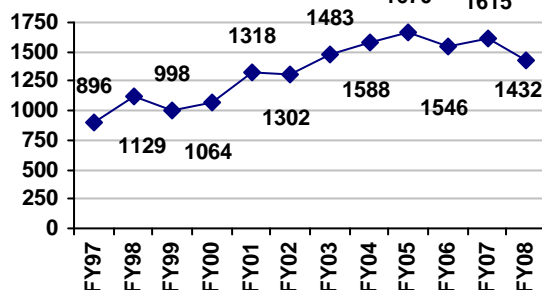
DISTRICT 7

- Liberty -



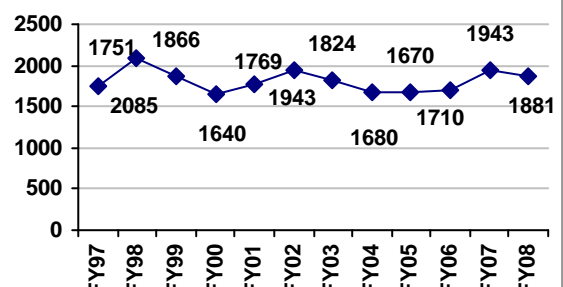
DISTRICT 10

- Hannibal -

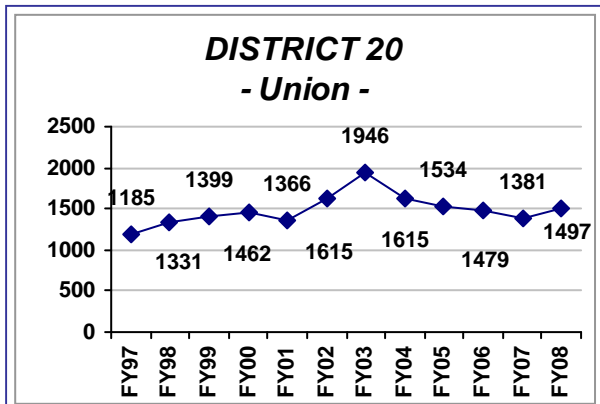
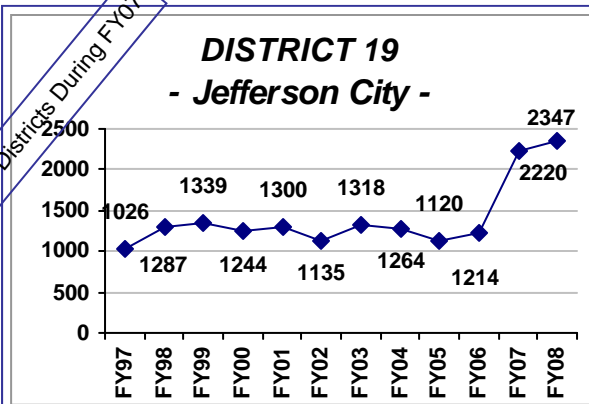
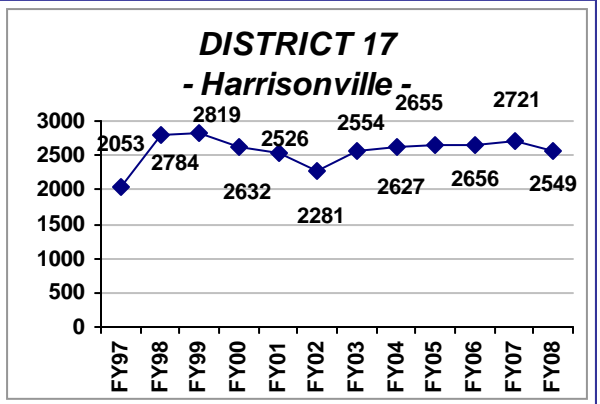
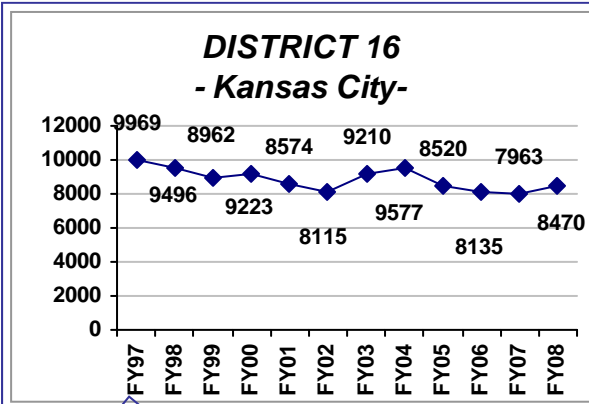
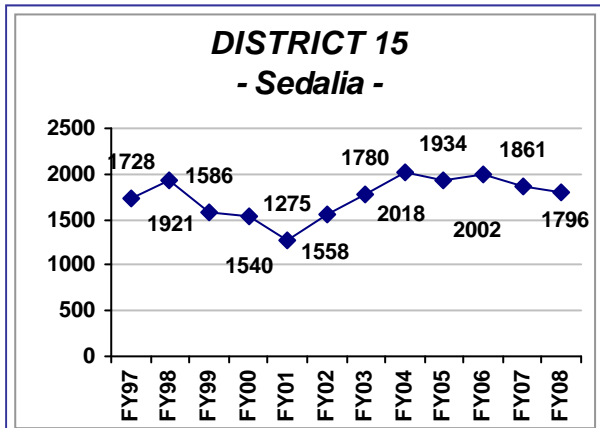
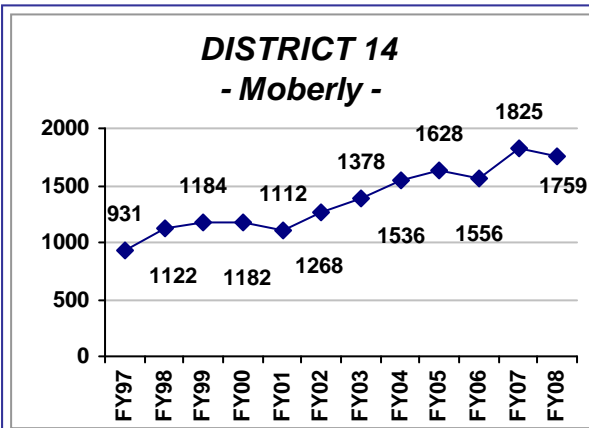
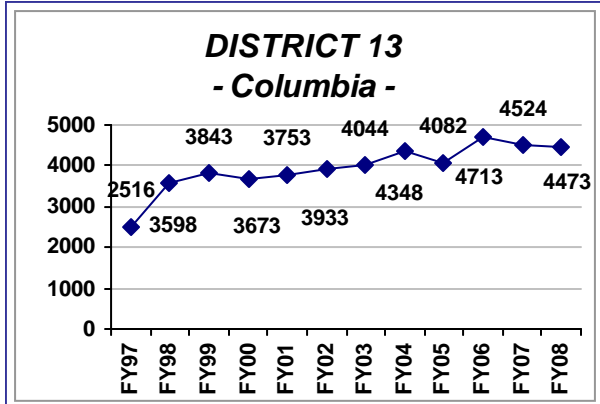
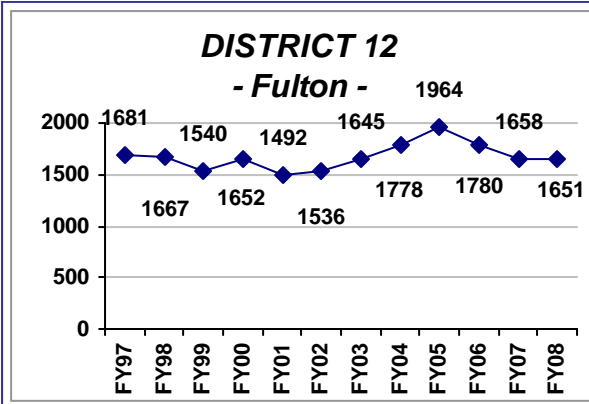


DISTRICT 11

- St. Charles -



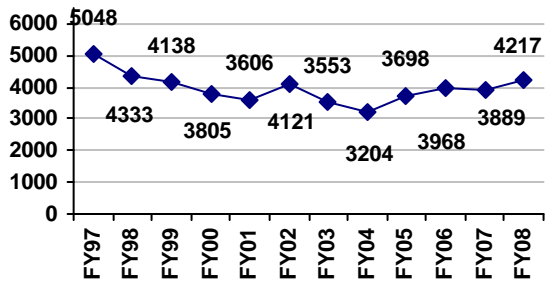
New Cases Opened – By District FY1997 to FY2008



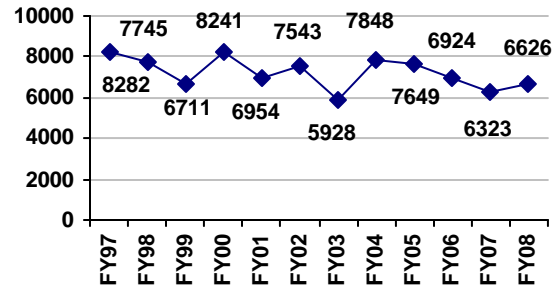
Realignment of Districts During FY07

New Cases Opened – By District FY1997 to FY2008

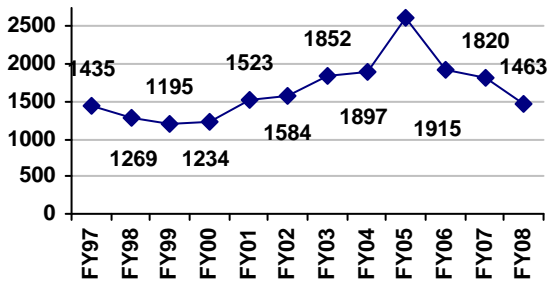
DISTRICT 21
- St. Louis County -



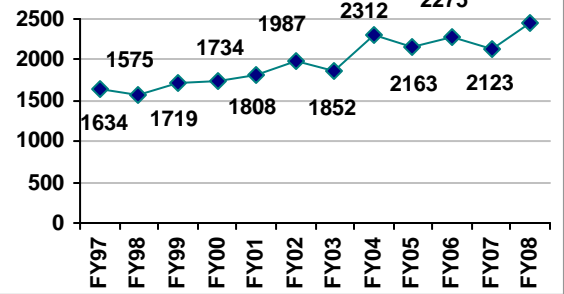
DISTRICT 22
- St. Louis City -



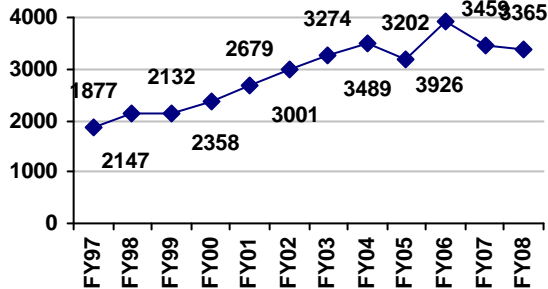
DISTRICT 23
- Hillsboro -



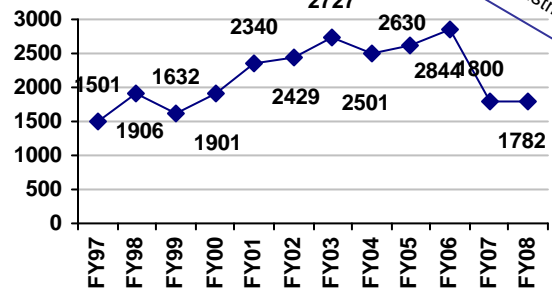
DISTRICT 24
- Farmington -



DISTRICT 25
- Rolla -

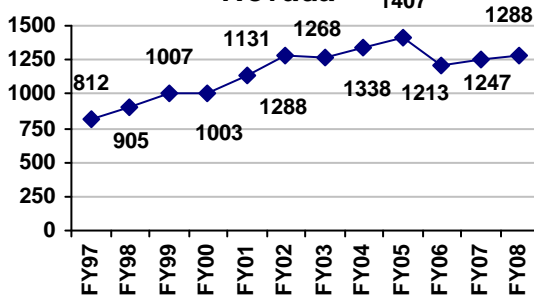


DISTRICT 26
- Lebanon -

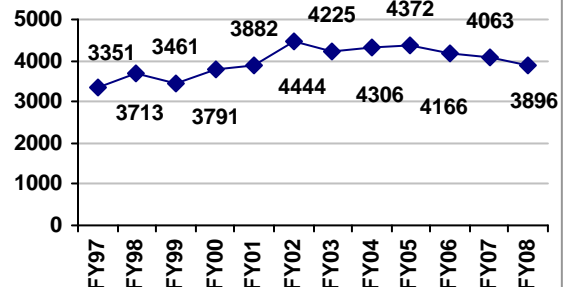


Realignment of Districts During FY07

DISTRICT 28
- Nevada -

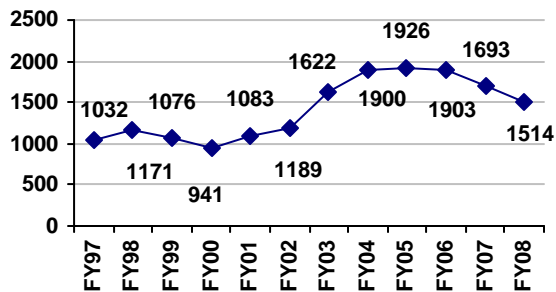


DISTRICT 29
- Carthage -

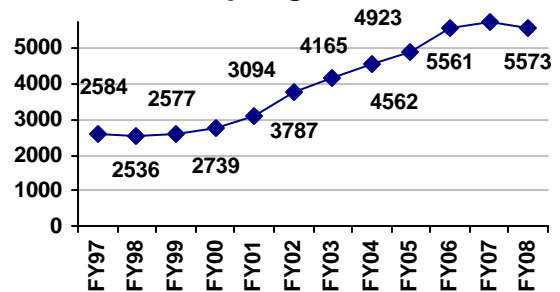


New Cases Opened – By District FY1997 to FY2008

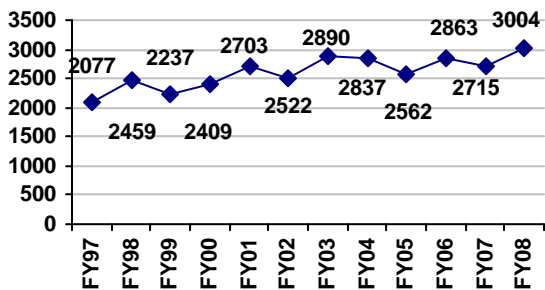
DISTRICT 30
- Bolivar -



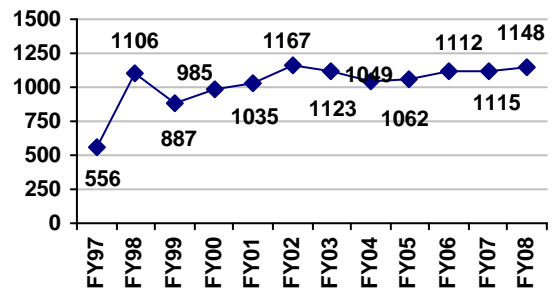
District 31
-Springfield-



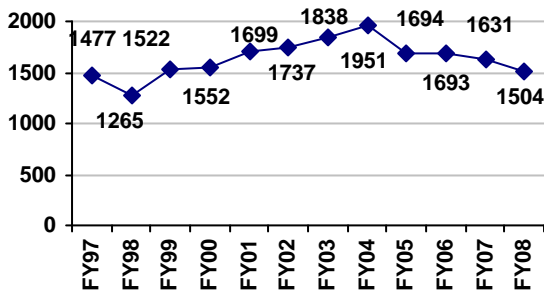
DISTRICT 32
- Jackson -



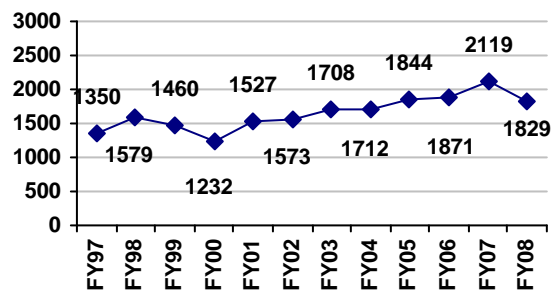
DISTRICT 34
- Caruthersville -



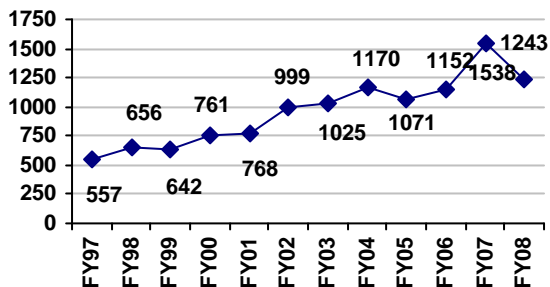
DISTRICT 35
- Kennett -



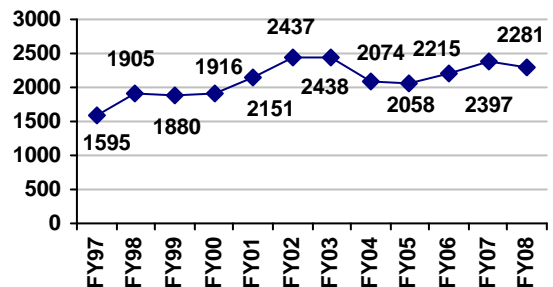
DISTRICT 36
- Poplar Bluff -



DISTRICT 37
- West Plains-

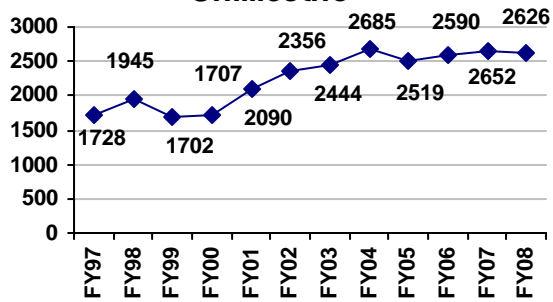


DISTRICT 39
- Monett -

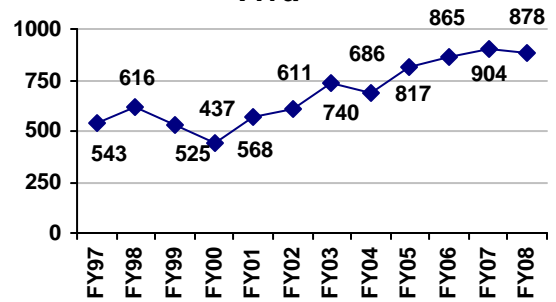


New Cases Opened – By District FY1997 to FY2008

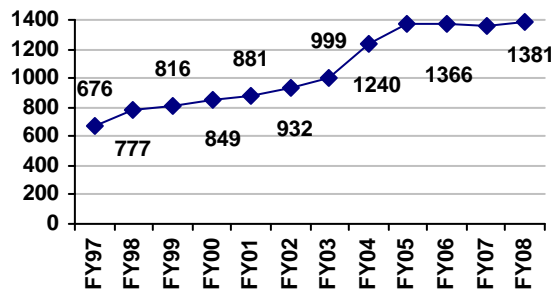
DISTRICT 43
- Chillicothe -



DISTRICT 44
- Ava -

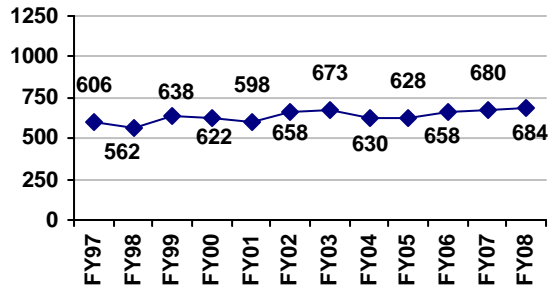


DISTRICT 45
- Troy -

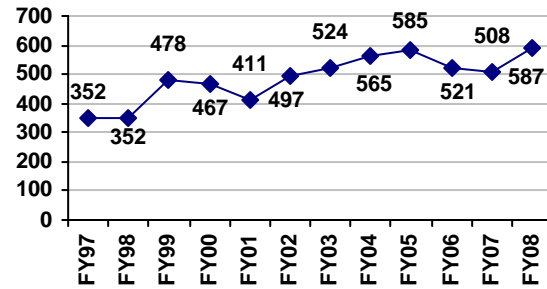


New Cases Opened – By District FY1997 to FY2008

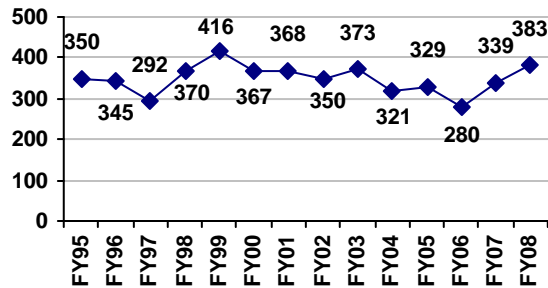
DISTRICT 50 & 67
- Columbia Appellate-



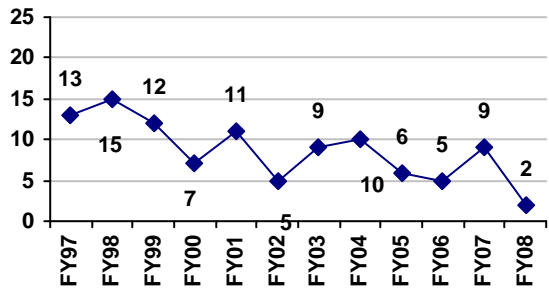
DISTRICT 51 & 68
- St. Louis Appellate -



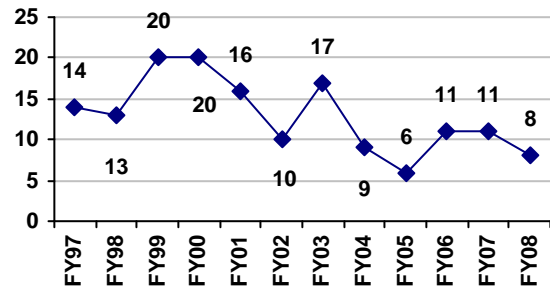
DISTRICT 52 & 69
- Kansas City Appellate-



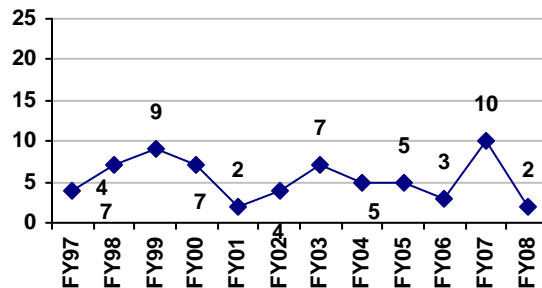
DISTRICT 53
- Columbia Capital -



DISTRICT 54
- St. Louis Capital -



DISTRICT 55
- Kansas City Capital -



FY2008 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE									
Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	65 PV	Other
001.000	Probation Violation	17,493		2	2		31	17,458	
001.100	Juvenile	265					259		6
001.110	Juvenile Injurious Behavior	70					70		
001.115	Juvenile Review Hearing	57					57		
001.120	Juvenile PV Only	162			1		157	4	
001.125	Juvenile Status	60					60		
001.130	Juvenile Misdemeanor	87					87		
001.135	Juvenile Felony C-D (Cert.)	2					2		
001.140	Juvenile Felony A-B (Cert.)	3	1				2		
001.145	Juvenile Felony C-D	87		2			85		
001.150	Juvenile Felony A-B	20					20		
001.155	Juvenile Murder 1st/2nd (Cert.)	0							
001.160	Juvenile Homicide (Cert)	0							
001.165	Juvenile Homicide	0							
043.170	Failure to stop for Hwy Patrol	1				1			
064.295	Zoning Violations	0							
070.441	Violating Rules/Regulations of Rapid Transit	2				2			
115.631	Election Offense Class I	2		2					
142.432	No Specialty Fuel License	2			2				
142.830	Operating as Interstate Motor Fuel user	1			1				
143.221	Failure to Pay Withholding	1	1						
143.931	Failure to file MO tax return	0							
143.941	False statement of tax return	0							
144.083	Retail Sales w/o a license	1			1				
144.480	Failure to pay state sales tax	1		1					
167.031	Compulsory school attendance MC	45			44			1	
167.061	Educational neglect	0							
190.308	Misuse of 911 phone service	20			19	1			
191.677	Risk of infecting another w/HIV FD	8	8						
191.905	Abuse of a Person Receiving Health Care	0							
192.490	Violation of a law or regulation, Misdemeanor	7			7				
194.410	Disturbing human burial site	0							
194.425	Abandonment of a corpse	5		5					
195.130	Maintaining a public nuisance	28		26	1			1	
195.202	Drug Possession	6,990	24	5,184	1,433	9	84	256	
195.203	Possession Under 35 Grams	168			157		1	10	
195.204	Fraudulent attempt to obtain cont. sub.	126		113	1			12	
195.211	Distribution/delivery/manufacture FA/B/C	2,107	1,886	100	2		17	102	
195.212	Unlawful distribution to minor	25	22	1				2	
195.213	Unlawful purchase or transport with a minor	0							
195.214	Dist. drugs within 1000 ft of a school FA	226	212	4			6	4	
195.218	Dist. drugs within 1000 ft of public housing	38	38						
195.219	Unlawful Endangerment of Property	0							
195.222	Drug trafficking First Degree	72	70					2	
195.223	Drug trafficking Second Degree	445	416	18			5	6	
195.226	Furnishing materials for producing cont. sub.	9		9					
195.233	Use of drug paraphernalia MA	834	4	58	749	4	5	14	
195.235	Delivery or manufacture of drug paraphernalia	20		17			1	2	
195.241	Possession of an imitation drug	4			4				
195.242	Delivery or manufacture of an imitation drug	32		28	1		1	2	
195.246	Possession of ephedrine	75		70	1			4	
195.252	Fail to Keep Records of Controlled Substance	0							
195.254	Delivery by manufacturer or distributor	1						1	
195.291	Persistent drug offender	0							
195.410	Possession of chemicals for meth.	8		8					
195.417	Over the Counter sale of Meth Precursor	28			28				
195.420	Creation of a controlled substance	193		187				6	

FY2008 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE									
Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	65 PV	Other
198.015	Operating Residential Care Facility w/o License	1			1				
198.097	Misappropriation of Funds of Elderly	0							
205.967	Unlawfully obtaining Public Assistance	2		2					
210.104	Failure to Provide Child Safety Restraint	4			3	1			
211.031	Exclusive jurisdiction of juvenile court	19					19		
211.431	17 years of age or older violates provision of 211	2			2				
214.131	Vandalizing Private Cemetery	1			1				
217.360	Possession of cont. substance-corr. facility	110	25	79	6				
217.365	Possession of contraband in penal Institution	0							
217.385	Committing Violence	70	66	4					
217.490	Multi-State Agreement on Detainers	0							
221.111	Delivering/possessing prohibited articles in jail	125	11	72	41			1	
221.353	Damage to jail property FD	78		78					
229.479	Possession for sale or collection plants from Co.	1			1				
252.040	Pursuing/taking wildlife	23			23				
252.045	Operation of MV on conservation property	5			5				
252.060	Failure to Display a Fishing License	1			1				
252.230	Violation of the State Wildlife Statues Law	2			2				
260.212	Criminal disposition of solid waste	1			1				
260.270	Unlawful disposal of tires by burning	0							
269.020	Failure to dispose of dead animal carcass	0							
273.329	Operating Animal Shelter w/o a license	0							
287.128	Workers compensation fraud/MA	4		1	3				
288.380	Illegal unemployment compensation	1			1				
301.020	Failure to register	278		1	15	262			
301.120	Failure to return plates	0							
301.130	Failure to display valid plates	176			8	168			
301.140	Displaying plates of another	99			7	92			
301.190	Certificate of ownership	6				6			
301.210	Sell/Purchase Mtr Veh or Trailer	13			1	12			
301.277	Failure to register non-resident vehicle	1				1			
301.320	Displaying another states plates	16				16			
301.390	Sale of vehicle with altered VIN	5		5					
301.400	Removing/defacing manufacturer numbers FC	1		1					
301.420	False Statement on Registration Application	0							
301.560	Inappropriate Vessel Trailer Plates	0							
301.705	Operating ATV on Private Property	0							
301.707	Failure to register an all-terrain vehicle	1			1				
302.020	Operating MV without a valid license	579		94	47	418	2	18	
302.025	Financial responsibility while operating vehicle	0							
302.175	Failure to Comply with Restricted Driver's License	3			1	2			
302.178	Failure to comply with immediate license	7			1	6			
302.200	Operating MV w/out new license after revoked	26			4	22			
302.210	Purchase of vehicle without receiving full title	0							
302.220	Possession of altered driver's license	7			1	6			
302.230	Making false stmt to obtain driver's license M	0							
302.233	Committing Fraud to Obtain Driver's license MA	0							
302.260	Unlicensed person operating motor vehicle	2				2			
302.321	Driving while suspended or revoked	5,928		663	503	4,722		40	
302.340	Prohibited Use of a License	0							
302.725	Driving w/o commercial driver's license	7				7			
302.727	Driving Commercial Vehicle while Disqualified	3		1	1	1			
302.780	Driving commercial vehicle under influence	1				1			
303.024	Failure to provide evidence of insurance	16				16			
303.025	Operating MV w/out financial responsibility	589			44	539		6	
303.041	Failure to maintain financial responsibility	5				5			
303.178	Knowingly Displaying Invalid Liability Insurance	2				2			

FY2008 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE									
Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	65 PV	Other
303.370	Driving while revoked or suspended for 303.025	171		1	18	151			1
304.000	Traffic	13			1	12			
304.010	Speeding	328			10	318			
304.011	Maintain Speed < 40 mph on Interstate	1				1			
304.012	Careless and imprudent driving	297			23	272		2	
304.013	Operating ATV's illegally	11			2	9			
304.015	Failure to drive on right side of the road	235		1	7	227			
304.016	Violation of passing regulation	16				16			
304.017	Following too closely	13			1	12			
304.019	Failure to signal	57		1	3	53			
304.022	Failure to yield to emergency vehicle	39			2	36		1	
304.035	Failure to stop at Railroad Crossing	3				3			
304.050	Failure to stop for a school bus	3				3			
304.130	Exceed Posted Speed Limit - 1st Class County	3				3			
304.151	Failure to move vehicle obstructing traffic	0							
304.220	Weight Limit Violation	1				1			
304.271	Failure to stop at stop sign	10				10			
304.281	Failure to stop at signal or crosswalk	13				13			
304.331	Injured Sign or Signal Device	0							
304.341	Turns at intersection violation penalty	6				6			
304.351	Failure to yield right-of-way	45				45			
304.665	Juvenile in bed of truck	0							
306.100	Insufficient Personal Flotation Devices	1			1				
306.111	Neg. operation vessel/intoxicated/manslaughter	0							
306.124	Fastening or damaging navigation aid w/vessel	0							
306.125	Failure to Exercise Degree of Care of Watercraft	1			1				
307.010	Failed to Cover or Secure Vehicle Load	1				1			
307.040	Failure to display stop & turn signals on trailer	10				10			
307.045	Faulty headlights	4				4			
307.050	Operating a Motor Vehicle w/o headlights on	0							
307.060	Multiple Beam Headlamps Arrangement Violation	0							
307.070	Failure to dim lights w/in 500 ft oncoming vehicle	2				2			
307.075	Failure to equip trailer with tail lights	18			1	17			
307.105	Limitation of total lamps lighted at one time	5				5			
307.165	Failed to Equip Passenger Veh w/ 2 sets of belts	1						1	
307.170	Operating vehicle with excessive noise	1				1			
307.172	Operated Vehicle w/o proper bumpers	1				1			
307.173	Vision reducing material applied to windows	24			1	23			
307.178	Seat belt violation	112			7	104			1
307.182	Driver Failed to Restrain Child in Booster	14			1	11			2
307.198	Operating ATV on Highway w/o Head/Tail Lamps	1				1			
307.350	Motor vehicles, biennial inspection required	3				3			
307.400	Operating commercial vehicle without service	23				23			
311.050	Sale of Intoxicating Liquor w/o a License	0							
311.310	Supplying liquor to a minor	89		1	88				
311.320	Misdemeanor Misrepresentation of Age by Minor	1			1				
311.325	Being Visibly Intoxicated	312			289	14	5	4	
311.325	Possession of liquor by a minor	127			126		1		
311.328	Altering operator's license or ID card	0							
311.329	Possessing altered operator's license or ID card	3			3				
311.550	Sale of liquor without a license	3		3					
311.880	Sale of alcohol to minor	0							
312.405	Misrepresentation of age by minor to obtain beer	0							
312.407	Possess of non-intoxicating liquor by minor	2			1			1	
313.380	Possession of Device Violate 313.800-313.850	0							
313.813	Trepassing on a Gambling Boat	7			7				
313.817	Presenting false ID to enter gaming est.	10			10				

FY2008 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE									
Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	65 PV	Other
313.830	Cheating a gambling game	4		4					
320.151	Sale of Fireworks to a minor	0							
324.520	Performing body peircing on a minor	0							
324.635	Knowingly Falsifying Fingerprints	0							
335.086	Use of Fradulent Credentials	0							
367.045	Failure to repay pawnbroker MB	0							
375.991	Fraudulent Act	1		1					
378.385	Commit perjury while receiving public assistance	0							
390.063	Operating Motor Vehicle w/ Defective Equipment	1			1				
407.020	Unlawful merchandising practices	1		1					
407.536	Odometer fraud FD	0							
407.933	Possession of cigarettes by a minor	0							
409.501	Securites Fraud	1		1					
429.014	Lien Fraud - Over \$500	3		3					
454.440	Failing to complete an information statement	7			6			1	
455.085	Violation of a protective order	647	5	58	568			15	1
455.538	Violation of an order of child protection	8			8				
468.350	As owner operator/auth another to op	0							
476.110	Criminal contempt of court	5			5				
542.400	Illegal wire tapping	0							
544.665	Failure to appear	106	2	42	46		6	10	
548.131	Fugitive from justice	105	23	68			12		2
548.141	Fugitive from Out of State	90	19	67	1			1	2
557.035	Hate crime C/D Fel	2		1	1				
557.036	Persistent offender	0							
558.016	Persistent misdemeanor offender	0							
562.036	Possessing controlled substance w/intent to dist.	0							
564.011	Attempt to commit an offense	153	41	83	3		22	4	
564.016	Conspiracy FB	26	14	8	1		3		
565.020	Murder 1st FA	140	129	3			5		3
565.021	Murder 2nd FA	147	140	3			4		
565.023	Voluntary manslaughter FB	0							
565.024	Involuntary manslaughter FC	43	16	21			3	3	
565.050	Assault 1st FA/B	537	502	12			19	4	
565.060	Assault 2nd	725	12	636	3		47	27	
565.070	Assault 3rd MA/C	1,458	4	14	1,261	1	144	34	
565.072	Domestic Assault 1st FC	173	166	6	1				
565.073	Domestic Assault 2nd FC	1,262	15	1,211	6		2	28	
565.074	Domestic Assault 3rd FC	1,842	4	72	1,690	1	22	53	
565.075	Assault on school property - FD	43		11			32		
565.081	Assault law enforcement officer FA	44	38	2			3	1	
565.082	Assault law enforcement officer	222	50	158	4		5	5	
565.083	Assault law enforcement officer 3rd MA	265	2	1	247		12	3	
565.084	Tampering with a judicial officer	11		10				1	
565.085	Crime of endangering a corrections employee	36	1	33	1			1	
565.090	Harassment MA	203			199		3	1	
565.092	Aggravated harassment	1			1				
565.100	Tampering with evidence	0							
565.110	Kidnapping FA/B	47	46	1					
565.115	Child Kidnapping - Class A Felony	8	8						
565.120	Felonious restraint FC	52	1	49				2	
565.130	False imprisonment MA/FD	13			12			1	
565.150	Interfering with Custody	9		4	4		1		
565.153	Parental Kidnapping	9		9					
565.156	Child abduction	10		9				1	
565.165	Assisting in child abduction or kidnapping	1			1				
565.180	Elder abuse FD	5	4				1		

FY2008 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE									
Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	65 PV	Other
565.182	Elder abuse SD	5	4					1	
565.184	Elder abuse TD	5			5				
565.225	Aggravated stalking	58		26	26			5	1
565.252	Invasion of Privacy - 1st FC	0							
565.253	Invasion of privacy	1			1				
566.030	Rape FA/B	151	138	8			4		1
566.032	Statutory rape FD	144	119	5			17	3	
566.034	Statutory rape SD	145	5	130				10	
566.040	Sexual assault 1st FA/B	40	1	26			10	3	
566.050	Sexual assault 2nd FC/D	0							
566.060	Sodomy FA/B	49	42	4			3		
566.062	Statutory sodomy 1st Dgr	269	223	10			34	2	
566.064	Statutory sodomy 2nd Dgr	41	1	38				2	
566.067	Child molestation 1st Dgr	173	147	3			20	2	1
566.068	Child molestation 2nd Dgr	47		7	34		3	2	1
566.070	Deviate sexual assault 1st FB/C	26		17			8	1	
566.080	Deviate sexual assault 2nd FC/D	0							
566.083	Sexual misconduct involving a child	26		22			2	2	
566.090	Sexual misconduct MA	53	1	3	35		14		
566.093	Sexual misconduct 2nd Dgr	40		2	35		3		
566.095	Sexual misconduct 3rd Dgr	12			10		2		
566.100	Sexual abuse 1st FC/D	20	1	15			3	1	
566.110	Sexual abuse 2nd MA/FD	2		1				1	
566.111	Unlawful Sex w/ an Animal	2			1		1		
566.120	Sexual abuse 3rd MA	0							
566.130	Indecent exposure MA	0							
566.145	Sexual Contact w/ inmate	1		1					
566.147	Establish residence w/in 1000 ft of child care	32		29	1			1	1
566.149	Offender of 566.149 loitering 500 ft of School	6			6				
566.151	Attempted Enticement of a Child	24	12	12					
566.212	Sexual Trafficking of a Child	2	2						
566.625	Failure to register as a sex offender	2			1			1	
567.020	Prostitution MB	11	1	1	9				
567.030	Patronizing prostitution MB	0							
567.050	Promoting prostitution 1st FB	0							
567.060	Promoting prostitution 2nd FC	0							
567.070	Promoting prostitution 3rd FD	3		2				1	
568.010	Bigamy MA	1			1				
568.020	Incest FD	15		10			5		
568.030	Abandonment of a child 1st FB	0							
568.032	Abandonment of a child 2nd FD	0							
568.040	Criminal nonsupport MA/FD	3,510	4	2,197	1,045			264	
568.045	Endangering welfare of a child 1st Dgr	289	3	269	2			15	
568.050	Endangering welfare of a child MA	287		19	257	1	1	8	1
568.060	Abuse of a child FB/C	148	5	136	1		1	5	
568.070	Unlawful transactions with a child MB	2			2				
568.175	Trafficking/Children	0							
568.080	Using a child in a sexual performance FB/C	3		2				1	
568.090	Promoting sexual performance by a child FC	0							
568.110	Processor failure to report MB	0							
568.175	Trafficking in children FC	0							
569.020	Robbery 1st FA	837	725	25			84	3	
569.025	Pharmacy robbery 1st FA	3	3						
569.030	Robbery 2nd FB	491	391	29			57	14	
569.040	Arson 1st FB	49	46	3					
569.050	Arson 2nd FC	58		47			7	4	
569.055	Knowingly burning or exploding FD	32		26			5	1	

FY2008 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE									
Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	65 PV	Other
569.060	Reckless burning or exploding MA	1			1				
569.065	Negligent burning or exploding MB	1			1				
569.070	Catastrophe FA	0							
569.080	Tampering 1st FC	1,806	3	1,511	6	2	222	62	
569.085	Unlawful endangerment of property FC	0							
569.090	Tampering 2nd MA/FD	286	1	12	173	7	87	6	
569.095	Tampering with intellectual property MA/FD	0							
569.097	Tampering with computer equipment FC/D	1			1				
569.099	Tampering with computer users MA/FD	0							
569.100	Property damage 1st FD	324	2	277	5		21	19	
569.120	Property damage 2nd MB	426	2	1	381	1	34	7	
569.140	Trespass 1st MB	530	2	5	500	3	12	8	
569.150	Trespass SD	25		1	17		3		4
569.155	Trespass of a school bus	1			1				
569.160	Burglary 1st FB	896	758	46	2		68	21	1
569.170	Burglary 2nd FC	2,762	12	2,407	7		207	128	1
569.180	Possession of burglar's tools FD	36		34				2	
570.030	Stealing FC/MA	5,122	53	3,047	1,576	1	217	227	1
570.030	Theft of anhydrous ammonia	10	8					2	
570.033	Stealing animals	5		5					
570.040	Stealing 3rd Offense FC	45	1	39	2			3	
570.080	Receiving stolen property MA/FC	844	1	525	277		21	19	1
570.085	Alteration or removal of item numbers FD/MB	1			1				
570.090	Forgery FC	1,949	3	1,809	3		5	129	
570.100	Possession of a forgery instrumentality FC	3		3					
570.103	Counterfeiting 1000 or more	6		4	2				
570.110	Issuing a false instrument or certificate MA	0							
570.120	Passing bad check MA/FD	3,835	2	1,502	2,218	4		109	
570.125	Fraudulent stop payment on an instrument MA/FD	25		12	12			1	
570.130	Fraudulent use of a credit device MA/FD	277		127	139		4	7	
570.135	Fraudulent procurement of a credit/debit device	1			1				
570.140	Deceptive business practices	1		1					
570.145	Financial exploitation of elderly or disabled	21	13	5	1			2	
570.150	Commercial bribery MA	0							
570.155	Sports bribery FEL/MIS	0							
570.160	False advertising MA	0							
570.180	Defrauding secured creditors MA/FD	8		6	1			1	
570.190	Telephone service fraud MA	0							
570.210	Library theft FC/MC	3			3				
570.217	Misapplication of funds of financial institution FC/D	0							
570.220	Check kiting FC	4		4					
570.223	Identity Theft	74	7	43	24				
570.224	Trafficking in Stolen Identities Felony B	14	14						
570.230	Selling unauthorized recordings	4		4					
570.300	Theft of cable television service FA/MC	2			2				
571.015	Armed criminal action	80	70	10					
571.020	Possess/transport/sale of certain weapons FC/MA	56		30	20		3	3	
571.030	Unlawful use of weapons FD/MB	1,022	63	832	11		85	31	
571.045	Defacing firearm MA	0							
571.050	Possession of a defaced firearm MB	3			2		1		
571.060	Unlawful transfer of weapons FD/MA	3			1		2		
571.070	Possession of a concealable firearm FC	13		13					
571.080	Transfer of concealable firearms w/out permit MA	1					1		
571.090	Permit to acquire concealable weapons MA	0							
571.150	Use or possession of metal-penetrating bullet FB	0							
572.020	Gambling MB	6			6				
572.030	Promoting Gambling FD	0							

FY2008 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE									
Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	65 PV	Other
572.050	Possession of gambling records 1st FD	0							
572.060	Possession of gambling records 2nd MA	0							
572.070	Possession of a gambling device MA	2			2				
572.080	Lottery offenses	0							
573.023	Sexual Exploitation of a Minor	4	4						
573.020	Promoting obscenity 1st FD	0							
573.023	Sexual Exploitation of a Minor	0							
573.025	Promoting Child Pornography 1st FB	10	10						
573.030	Promoting Pornograhpy 2nd MA	0							
573.035	Promoting child pornography 2nd FD	1		1					
573.037	Possession of child pornography	25		24				1	
573.040	Furnishing pornographic material to a minor MA	9			9				
573.060	Public display of explicit sexual material MA	1			1				
573.065	Coercing acceptance of obscene materials	0							
574.010	Peace disturbance	156		1	136		17	2	
574.020	Private peace disturbance MC	11			9		1	1	
574.040	Unlawful assembly MB	0							
574.050	Rioting MA	0							
574.060	Refusal to disperse MC	1			1				
574.070	Promoting civil disorder 1st FC	0							
574.075	Drunkenness or drinking in prohibited places M	7			7				
574.085	Burial desecration - Institutional Vandalism	6	1	2	1		1	1	
574.090	Ethnic intimidation FD	0							
574.093	Ethnic intimidation SD	0							
574.105	Money Laundering	3	3						
574.115	Making a terrorist threat	24		18	1		5		
575.020	Concealing an offense MA	1		1					
575.030	Hindering prosecution	56		44	10			2	
575.040	Perjury FA/B/C/D	4		4					
575.050	False affidavit MA/C	2			2				
575.060	False declarations MB	8			8				
575.080	False reports MB	76			75		1		
575.090	False bomb report D-fel	14		8			5	1	
575.100	Tampering with physical evidence	11		9	2				
575.110	Tampering with public records	1			1				
575.120	False impersonation	12			12				
575.145	Failed to Obey Sheriff's Deputy	9			8	1			
575.150	Resisting. Interference. w/Arrest. FD/MA	847	3	343	461	4	20	16	
575.160	Interference. w/Legal Process MB	1			1				
575.190	Refusal to ID as a witness	2			2				
575.195	Escape from commitment FD	2		2					
575.200	Escape/attempt escape from custody MA FA/D	41		28	10		1	2	
275.205	Tampering w/ electronic monitoring equip.	6		4			2		
575.210	Escape/attempt escape from confinement FA/C/D	31	4	27					
575.220	Failure to return to confinement MA/FC	26		13	13				
575.230	Aiding escape of a prisoner FB/D MA	5	4		1				
575.240	Permitting escape	0							
575.250	Disturbing judicial proceeding	2			2				
575.260	Tampering with judicial process	5		5					
575.270	Tampering with a witness FC/MA	78		58	18		1	1	
575.280	Official acceding to corruption	0							
575.290	Improper communication	0							
575.300	Juror misconduct	0							
575.310	Misconduct in selecting or summoning juror	0							
575.320	Misconduct in administration of justice	0							
575.350	Killing or Disabling a Police Animal	0							
576.010	Bribery of a public servant FD	2		2					

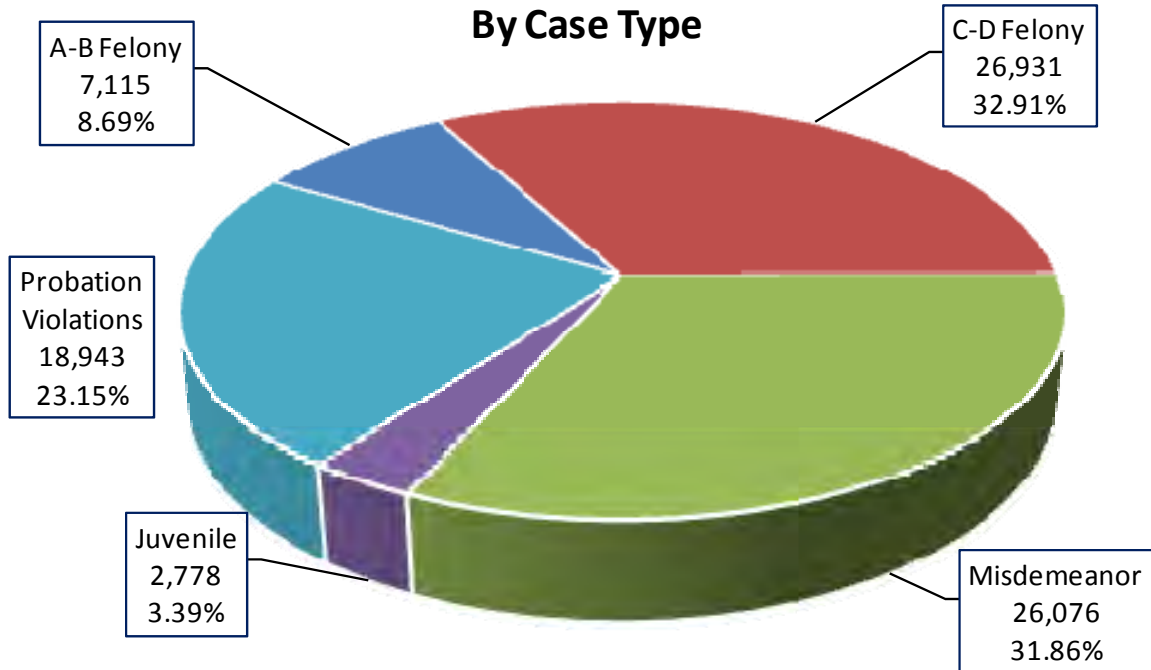
FY2008 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE									
Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	65 PV	Other
576.020	Public servant acceding to corruption FD	0							
576.030	Obstructing government operations MB	10			10				
576.040	Official misconduct MA	0							
576.050	Misuse of official information MA	0							
576.070	Treason FA	0							
577.005	Vehicular manslaughter	0							
577.010	Driving while intoxicated MA/B FD	3,381	253	891	2,000	133		104	
577.012	Driving w/excessive blood alcohol content MA/C	13		4	8			1	
577.017	Consuming alcoholic beverages in moving MV	9			7	2			
577.023	Driving while intoxicated Second MA, Third FD	10	1	3	5	1			
577.051	Failure to furnish M.U.L.E. records MC	0							
577.060	Leaving scene of motor vehicle accident MA/FD	445		251	168	11	1	14	
577.070	Littering MA	37			35	2			
577.073	Littering in state parks	0							
577.075	Release of Anhydrous Ammonia	3	3						
577.076	Littering with carcasses	0							
577.080	Abandoning motor vehicle MA	1			1				
577.100	Abandonment of airtight containers	0							
577.110	Operating MV while under 16 years of age	0							
577.150	Corrupting or diverting water supply	0							
577.155	Prohibition of waste disposal wells	0							
577.600	Failure to use ordered ignition interlock device	2			2				
577.612	Tampering w/ igiton interlock device	0							
577.625	Distribution/Possess. of Prescription-Sch. Grounds	5			2	3			
578.009	Animal neglect MA	20			20				
578.012	Animal abuse	95		17	75		1	2	
578.025	Dog fighting MA/FD	0							
578.027	Dog baiting MA	0							
578.029	Knowingly/Intentionally Release an Animal	1			1				
578.050	Bull baiting and cockfighting MA	0							
578.150	Failure to return rented personal property MA/FD	196		127	66	1		2	
578.151	Interfere w/ Lawful Hunt	0							
578.154	Possession of Anhydrous Ammonia	9		8				1	
578.250	Inhaling/ inducing others to inhale fumes MB	14	1		13				
578.255	Induce or possess w/intent to induce intoxication	3			3				
578.260	Possess/purchase solvents to aid others MB	0							
578.265	Sell or Transfer Solvents FC	0							
578.305	Assault w/ intent to hijack bus	0							
578.365	Hazing	0							
578.377	Unlawful receipt of food stamps MA/FD	2		2					
578.379	Unlawful conversion of food stamps MA/FD	0							
578.381	Unlawful transfer of food stamps MA/FD	0							
578.395	Ticket scalping	0							
578.416	Crop Loss	0							
578.423	Knowingly participating in street gang activity MA	0							
578.425	Promoting or assisting gang conduct MA	0							
578.433	Maintaining public nuisance	0							
578.445	Possession tools to break into vending mach	0							
589.400	Registration of certain offenders with chief law	19	1	11	7				
589.414	Failure to register as a sex offender	8		2	6				
589.425	Failure to register penalty, subsequent	133		84	47			2	
999.999	Witness Only	35	1	3			1		30

Cases Closed

The State Public Defender System's Trial Division closed 81,941 cases in Fiscal Year 2008.

Fiscal Year 2008 Trial Division Closed Cases by Case Type		
Type Code	Description	Cases Opened
10	Murder - Death Penalty	1
15	Homicide - Non Capital	129
20	Other Homicides	132
30	A-B Felonies	6,853
35	C-D Felonies	26,931
40	Misdemeanor	18,250
45	Misdemeanor - Traffic	7,826
50	Juvenile Status	293
52	Juvenile Criminal	2,485
65	Probation Violation	18,943
	Other	98
	Total Trial Division Cases Opened 2007	81,941

Fiscal Year 2008 Trial Division Closed Case By Case Type



Felony Cases Closed	34,046 or 41.55% of the total caseload
Misdemeanor Cases Closed	26,076 or 31.82% of the total caseload
Probation Violation Cases	18,943 or 23.12% of the total caseload
Juvenile Cases Closed	2,778 or 3.39% of the total caseload

Case Activity

In addition to the number of cases, the disposition of those cases once in the court system has a dramatic impact on the workload of Missouri's Public Defenders. Although the smallest in number, cases going to trial place the highest demand on an attorney's time. Several hours of pretrial preparation, hearings and motions are required for each hour actually spent in trial. Many cases do not require a trial for disposition but are disposed of only after a court hearing before the judge. These cases can include juvenile hearings, probation revocation hearings and preliminary and motion hearings which also require considerable research and preparation before the actual court appearance.

Other dispositions, such as guilty pleas, dismissals and withdrawals, also place a crushing time burden on Missouri's Public Defenders. Some individual cases may require very little attorney time before the case is disposed of by plea or other disposition, while others require considerable preparation, investigation and negotiation before the case can be disposed of by plea or dismissal. In either event, the sheer volume of cases places an extreme demand on the time of Missouri Public Defenders and support staff.

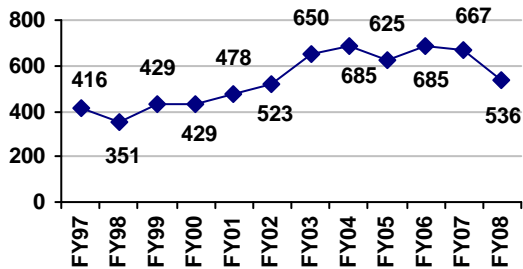
FY2008 - Trial Division Closed Cases By Disposition Type		
	Description	# of Cases
01	Withdrawn	6,346
02	Dismissed/Withdrawn	11,781
03	NGRI	13
04	Guilty Plea	38,732
05	Court Trial	394
06	Jury Trial	402
10	Juvenile Hearing	1,070
11	Certification Hearing	47
12	Juvenile Informal Hearing	208
20	Chapter 552	32
25	Probation Violation Hearing	17,008
30	Preliminary Writ Granted	3
32	Preliminary Writ Denied	5
35	Appeal Decision	10
41	Conflict Transfer	2,819
42	Conflict Assignment	628
43	Contract Assignment	730
50	Capias Warrant > than 1 year	1,227
60	Missouri Bar Volunteer Program	21
00	Unknown	465
	Total Trial Division Closed Cases	81,941

TRIAL DIVISION CASE DISPOSITIONS
Five Fiscal Year Comparisons - FY2003 to FY2008
By District

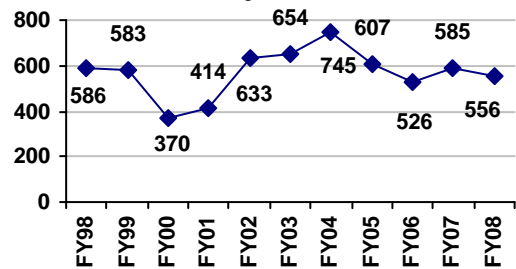
District #	District Name	FY04 Cases Disposed	FY05 Cases Disposed	FY06 Cases Disposed	FY07 Cases Disposed	FY08 Cases Disposed	# Change 2004 to 2008	% Change 2004 to 2008
1	St. Louis Juvenile	1,272	797	682	710	195	-1,077	-84.67%
2	Kirksville	685	625	685	667	536	-149	-21.75%
4	Maryville	745	607	526	585	556	-189	-25.37%
5	St. Joseph	2,271	2,351	2,271	2,216	2,183	-88	-3.87%
6	Kansas City Juvenile	1,154	1,400	1,208	952	143	-1,011	-87.61%
7	Liberty	3,574	3,330	3,343	3,224	3,107	-467	-13.07%
10	Hannibal	1,568	1,691	1,483	1,608	1,466	-102	-6.51%
11	St. Charles	1,686	1,747	1,591	1,855	1,908	222	13.17%
12	Fulton	1,895	1,994	1,666	1,644	1,694	-201	-10.61%
13	Columbia	4,136	4,123	4,381	4,439	4,524	388	9.38%
14	Moberly	1,442	1,691	1,537	1,740	1,801	359	24.90%
15	Sedalia	1,990	1,871	1,977	1,813	1,852	-138	-6.93%
16	Kansas City	8,836	8,065	7,361	7,657	7,690	-1,146	-12.97%
17	Harrisonville	2,679	2,561	2,538	2,494	2,522	-157	-5.86%
19	Jefferson City	1,265	1,177	1,129	1,459	2,214	949	75.02%
20	Union	1,676	1,530	1,432	1,349	1,470	-206	-12.29%
21	St. Louis County	2,459	3,746	3,684	3,859	3,761	1,302	52.95%
22	St. Louis City	7,802	7,794	6,203	6,020	6,467	-1,335	-17.11%
23	Hillsboro	1,896	2,297	1,828	1,880	1,816	-80	-4.22%
24	Farmington	2,268	2,305	2,202	2,123	2,255	-13	-0.57%
25	Rolla	3,587	3,314	3,564	3,480	3,649	62	1.73%
26	Lebanon	2,423	2,775	2,733	2,344	1,753	-670	-27.65%
28	Nevada	1,349	1,351	1,236	1,216	1,323	-26	-1.93%
29	Carthage	4,120	4,095	4,137	4,093	3,899	-221	-5.36%
30	Bolivar	1,855	1,895	1,772	1,734	1,506	-349	-18.81%
31	Springfield	4,291	4,773	4,994	5,438	5,626	1,335	31.11%
32	Cape Girardeau	2,790	2,566	2,581	2,694	2,885	95	3.41%
34	Caruthersville	1,104	1,063	1,058	1,080	1,109	5	0.45%
35	Kennett	1,914	1,695	1,637	1,638	1,452	-462	-24.14%
36	Poplar Bluff	1,600	1,891	1,857	2,042	1,813	213	13.31%
37	West Plains	1,135	1,137	1,008	1,446	1,338	203	17.89%
39	Monett	2,044	1,875	2,051	2,374	2,370	326	15.95%
43	Chillicothe	2,586	2,512	2,533	2,666	2,669	83	3.21%
44	Ava	756	810	856	850	957	201	26.59%
45	Troy	1,161	1,347	1,317	1,288	1,428	267	23.00%
49	St. Louis Conflicts	105	Closed				-105	-100.00%
Total Trial Division Dispositions		84,119	84,801	81,061	82,677	81,937	-2,182	-2.69%

Cases Disposed -By District FY1997 to FY2008

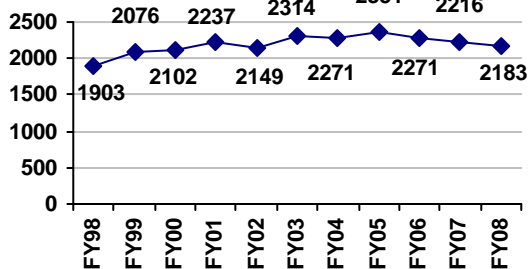
DISTRICT 2
- Kirksville -



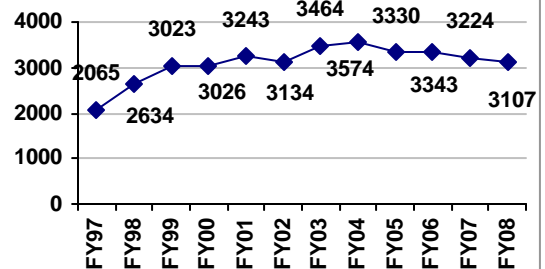
DISTRICT 4
- Maryville -



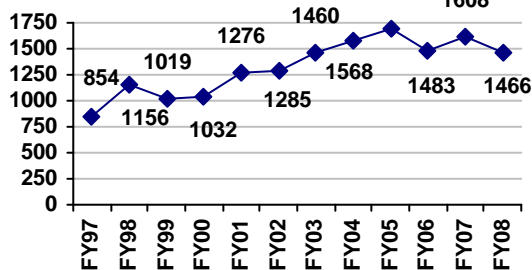
DISTRICT 5
- St. Joseph -



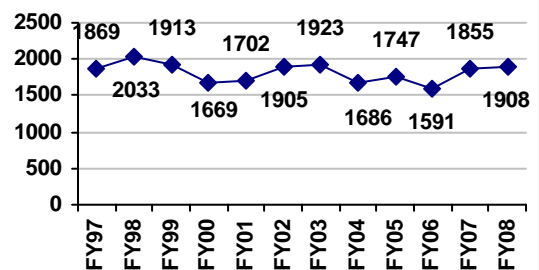
DISTRICT 7
- Liberty -



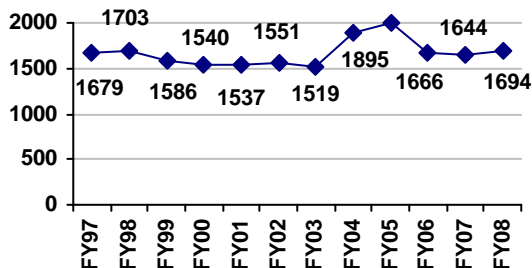
DISTRICT 10
- Hannibal -



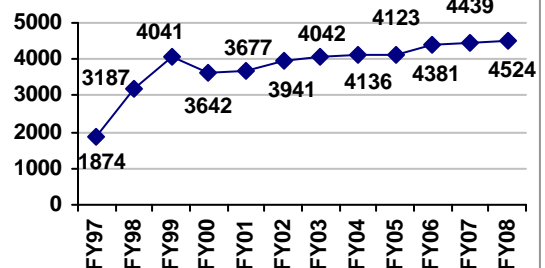
DISTRICT 11
- St. Charles -



DISTRICT 12
- Fulton -

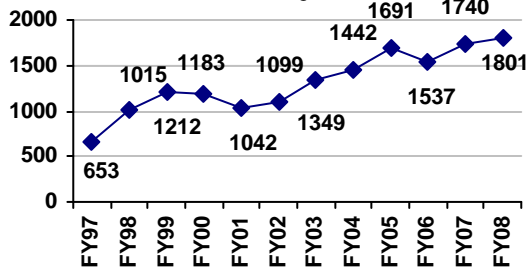


DISTRICT 13
- Columbia -

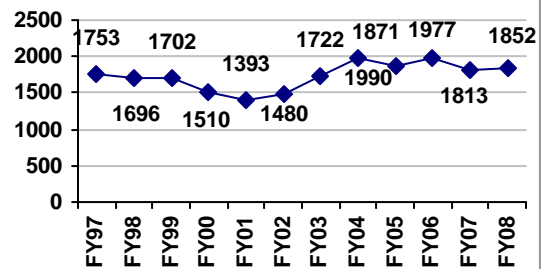


Cases Disposed -By District FY1997 to FY2008

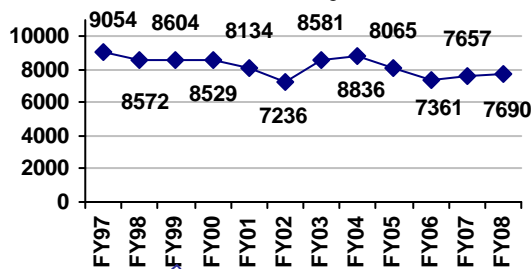
DISTRICT 14
- Moberly -



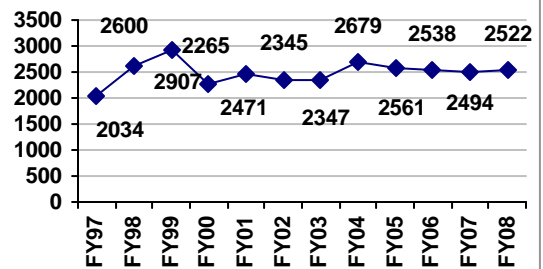
DISTRICT 15
- Sedalia -



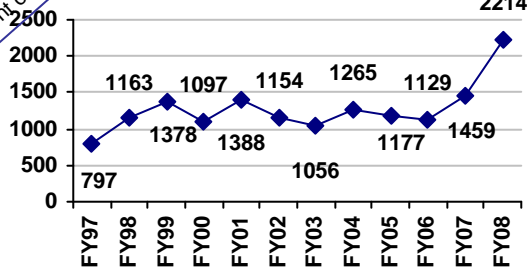
DISTRICT 16
- Kansas City -



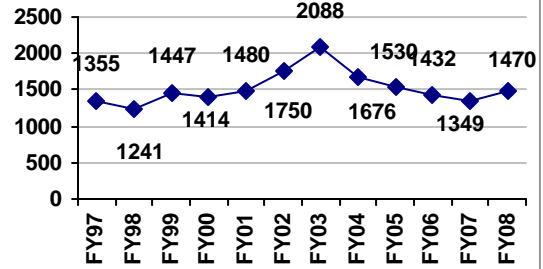
DISTRICT 17
- Harrisonville -



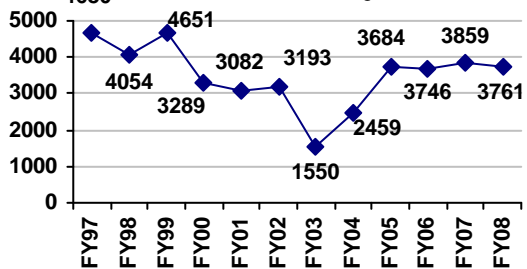
DISTRICT 19
- Jefferson City -



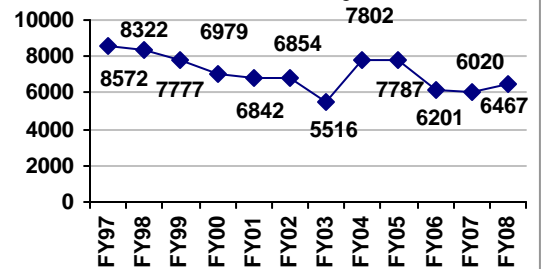
DISTRICT 20
- Union -



DISTRICT 21
- St. Louis County -



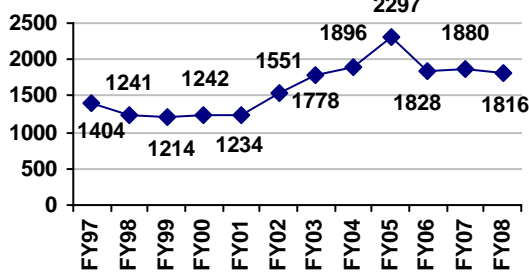
DISTRICT 22
- St. Louis City -



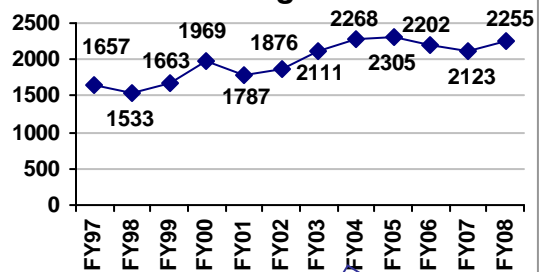
Realignment of Districts During FY07

Cases Disposed -By District FY1997 to FY2008

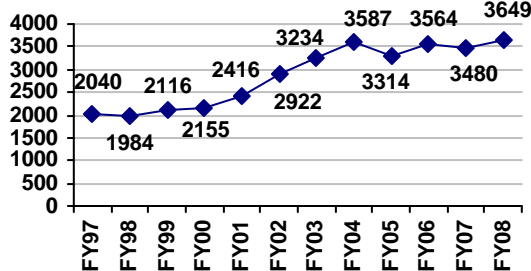
DISTRICT 23
- Hillsboro -



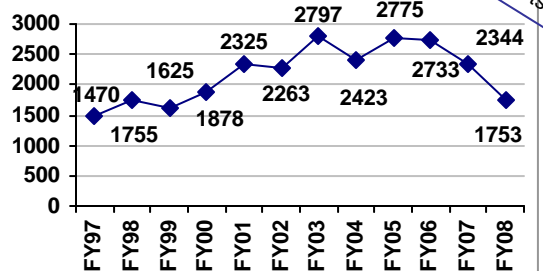
DISTRICT 24
- Farmington -



DISTRICT 25
- Rolla -

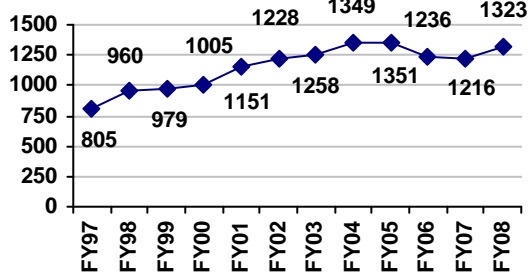


DISTRICT 26
- Lebanon -

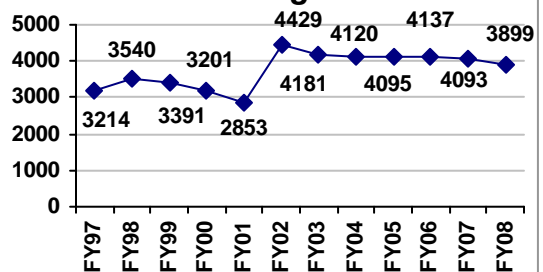


Realignment of Districts During FY

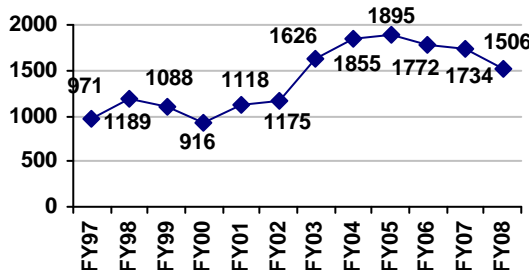
DISTRICT 28
- Nevada -



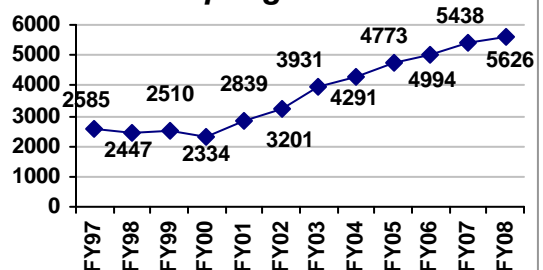
DISTRICT 29
- Carthage -



DISTRICT 30
- Bolivar -

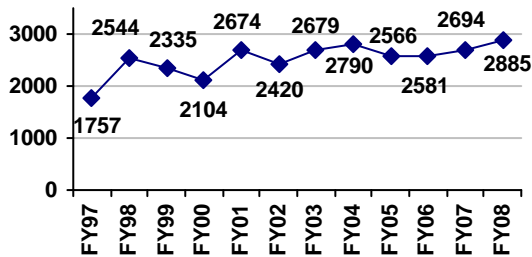


DISTRICT 31
- Springfield -

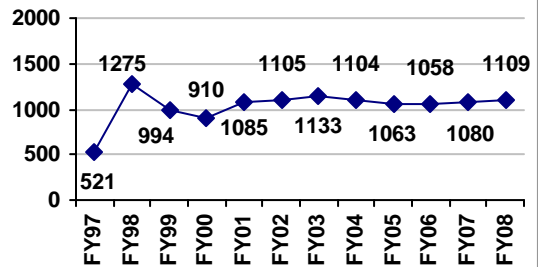


Cases Disposed -By District FY1997 to FY2008

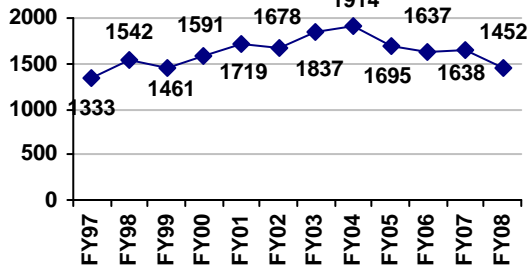
DISTRICT 32
- Jackson -



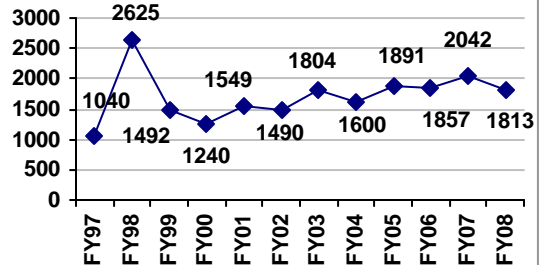
DISTRICT 34
- Caruthersville -



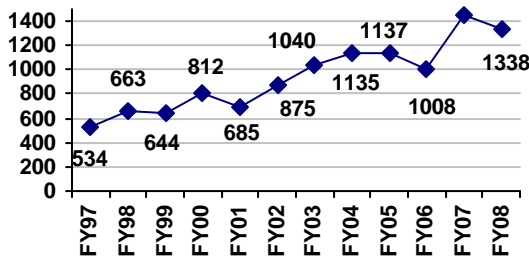
DISTRICT 35
- Kennett-



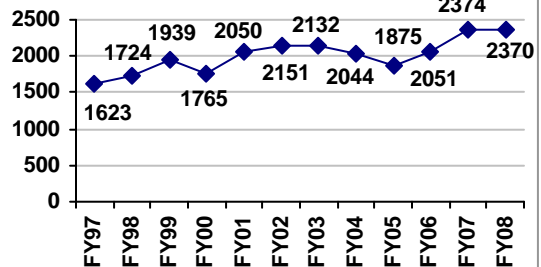
DISTRICT 36
- Poplar Bluff -



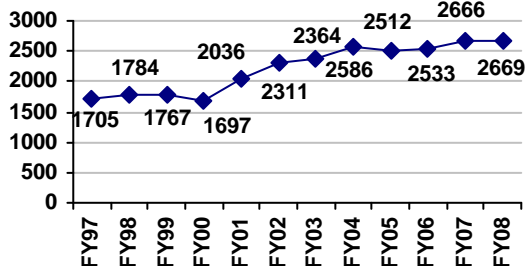
DISTRICT 37
- West Plains-



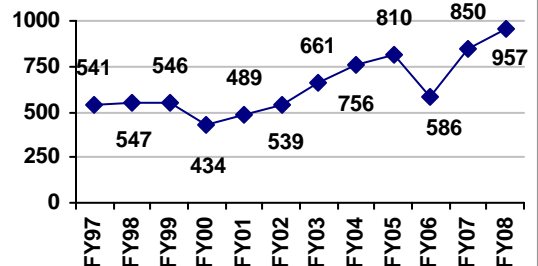
DISTRICT 39
- Monett -



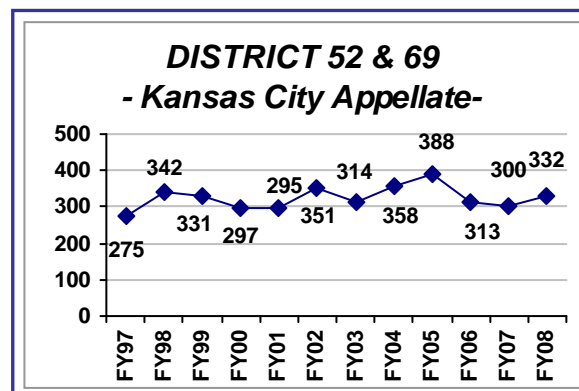
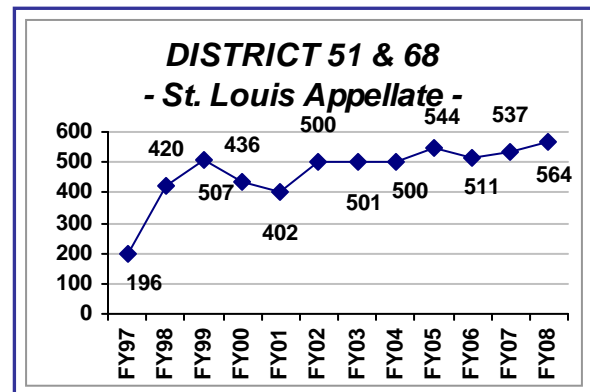
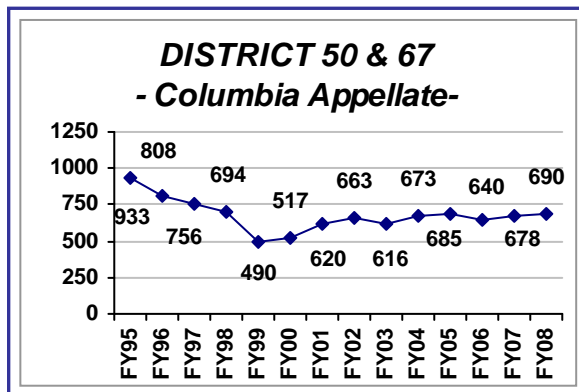
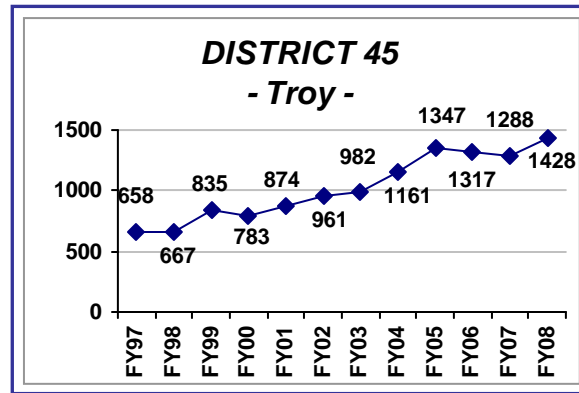
DISTRICT 43
- Chillicothe -



DISTRICT 44
- Ava -

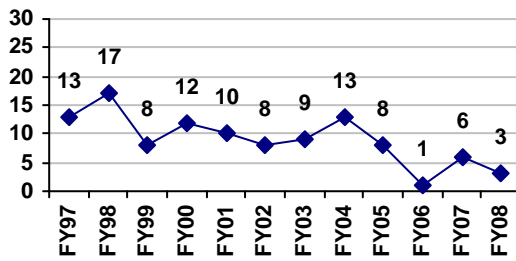


Cases Disposed -By District FY1997 to FY2008

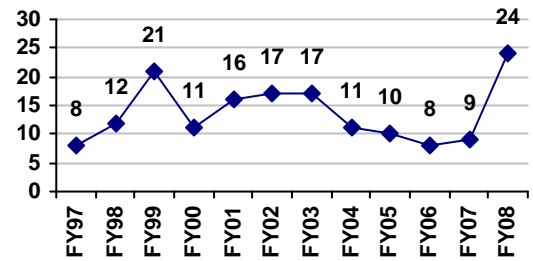


Cases Disposed -By District FY1997 to FY2008

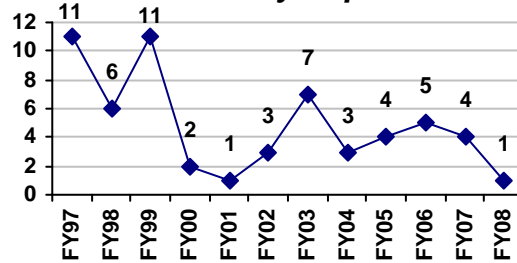
DISTRICT 53
- Columbia Capital -



DISTRICT 54
- St. Louis Capital -



DISTRICT 55
- Kansas City Capital -

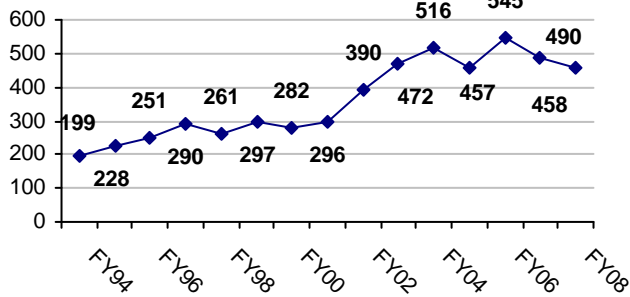


FY2008
Trial Division
Opened and Closed by County

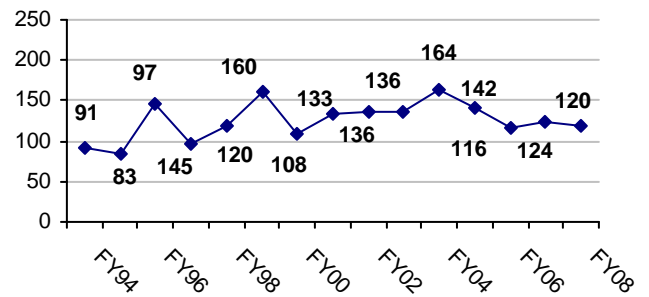
County	Opened	Closed	County	Opened	Closed	County	Opened	Closed
ADAIR	449	458	GREENE	3,633	3,739	OZARK	167	170
ANDREW	140	120	GRUNDY	199	226	PEMISCOT	582	598
ATCHISON	61	57	HARRISON	219	205	PERRY	265	270
AUDRAIN	758	761	HENRY	461	431	PETTIS	665	683
BARRY	553	633	HICKORY	136	130	PHELPS	1,336	1,449
BARTON	278	301	HOLT	91	92	PIKE	376	338
BATES	406	392	HOWARD	144	152	PLATTE	950	977
BENTON	258	248	HOWELL	842	919	POLK	445	495
BOLLINGER	60	49	IRON	301	270	PULASKI	560	591
BOONE	4,472	4,514	JACKSON	8,477	7,887	PUTNAM	92	109
BUCHANAN	2,059	2,196	JASPER	2,513	2,494	RALLS	190	181
BUTLER	1,158	1,174	JEFFERSON	1,517	1,848	RANDOLPH	794	819
CALDWELL	291	334	JOHNSON	645	665	RAY	409	435
CALLAWAY	664	688	KNOX	21	25	REYNOLDS	61	54
CAMDEN	604	623	LACLEDE	743	742	RIPLEY	281	277
CAPE GIRARDEAU	1,279	1,237	LAFAYETTE	609	620	SALINE	346	355
CARROLL	187	164	LAWRENCE	786	767	SCHUYLER	22	22
CARTER	147	115	LEWIS	145	161	SCOTLAND	45	60
CASS	919	914	LINCOLN	1,008	1,087	SCOTT	899	838
CEDAR	289	296	LINN	269	298	SHANNON	230	247
CHARITON	134	140	LIVINGSTON	692	663	SHELBY	101	118
CHRISTIAN	953	967	MACON	349	348	ST. CHARLES	1,475	1,459
CLARK	98	116	MADISON	168	142	ST. CLAIR	145	155
CLAY	1,719	1,672	MARIES	108	126	ST. FRANCOIS	1,260	1,074
CLINTON	302	305	MARION	766	780	ST. LOUIS CITY	6,662	6,566
COLE	1,665	1,506	MCDONALD	389	389	ST. LOUIS COUNTY	3,959	3,657
COOPER	178	201	MERCER	107	100	STE. GENEVIEVE	217	207
CRAWFORD	593	655	MILLER	400	381	STODDARD	564	492
DADE	116	110	MISSISSIPPI	501	515	STONE	585	613
DALLAS	264	286	MONITEAU	170	163	SULLIVAN	84	76
DAVIESS	248	254	MONROE	144	120	TANEY	1,157	1,112
DEKALB	201	211	MONTGOMERY	238	266	TEXAS	503	539
DENT	351	347	MORGAN	376	326	VERNON	662	662
DOUGLAS	169	205	NEW MADRID	536	503	WARREN	455	518
DUNKLIN	970	966	NEWTON	1,122	1,119	WASHINGTON	473	530
FRANKLIN	1,345	1,263	NODAWAY	154	146	WAYNE	280	267
GASCONADE	186	211	OREGON	166	167	WEBSTER	431	378
GENTRY	97	96	OSAGE	77	84	WORTH	31	29
						WRIGHT	571	640

15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

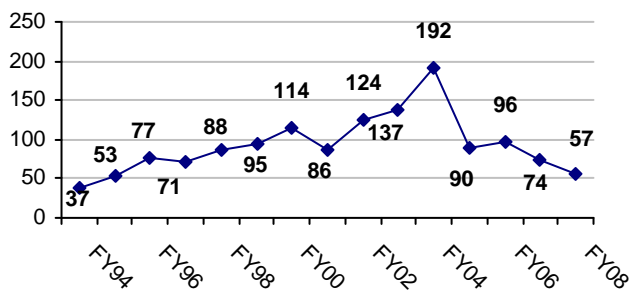
Adair



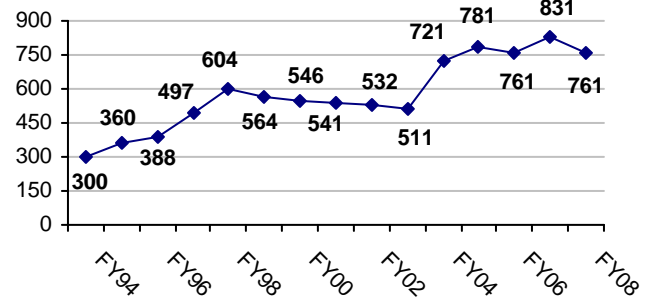
Andrew



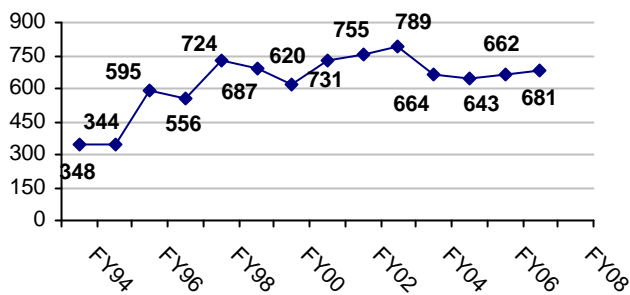
Atchinson



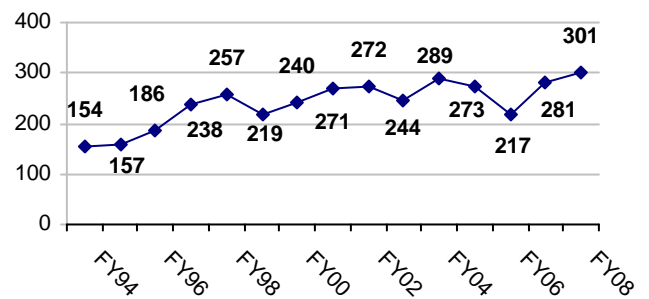
Audrain



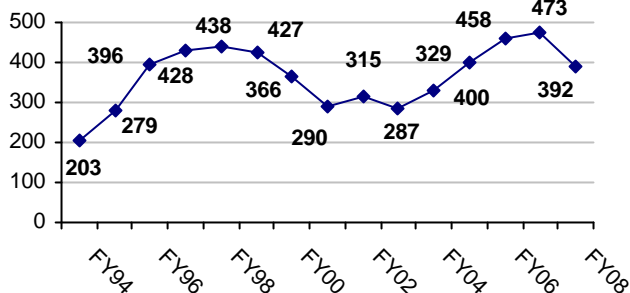
Barry



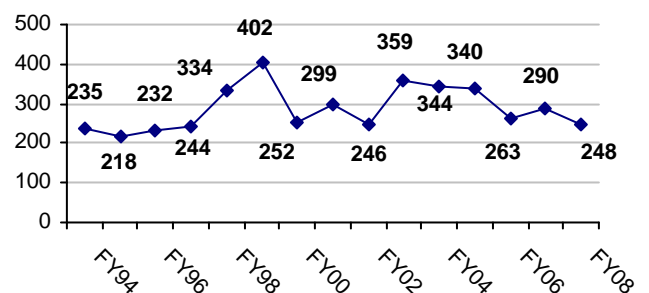
Barton



Bates

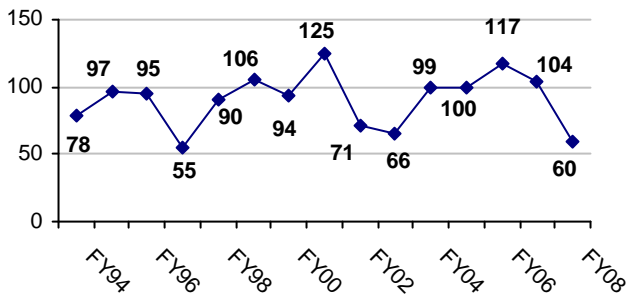


Benton

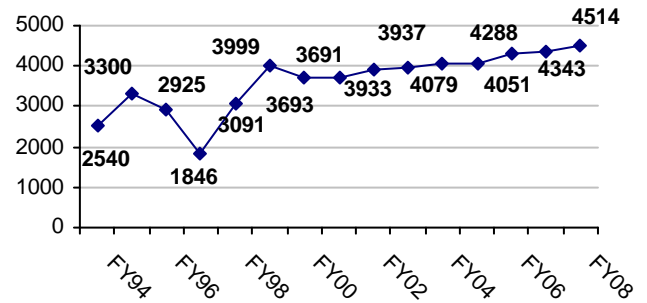


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

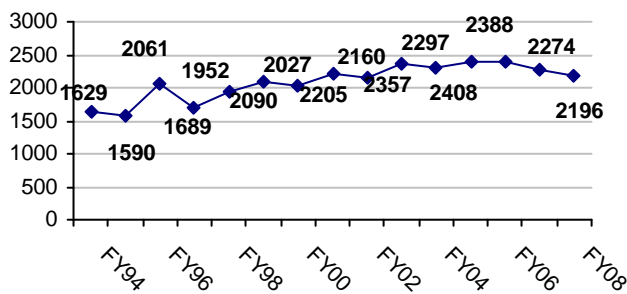
Bollinger



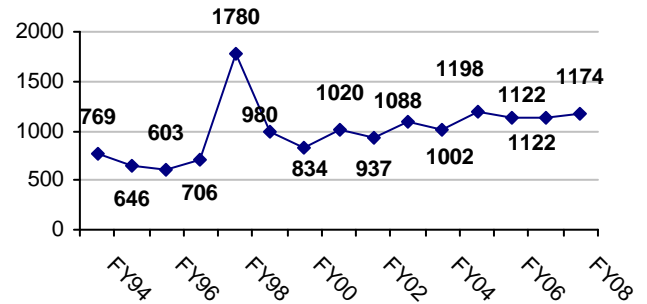
Boone



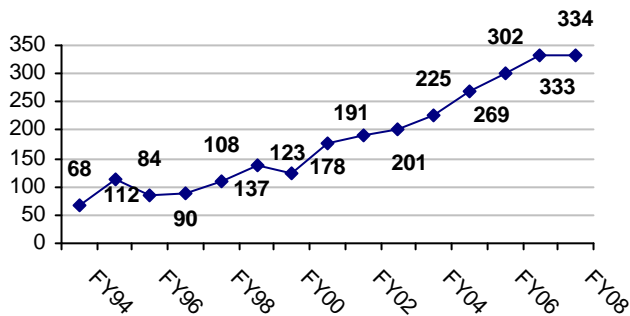
Buchanan



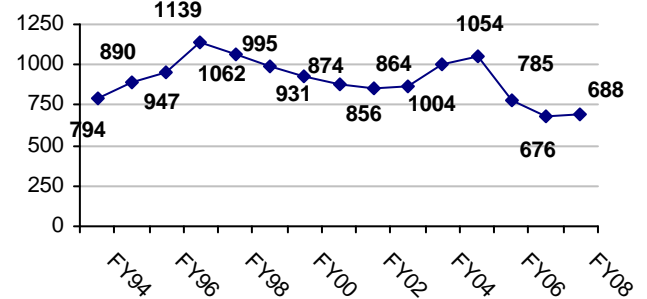
Butler



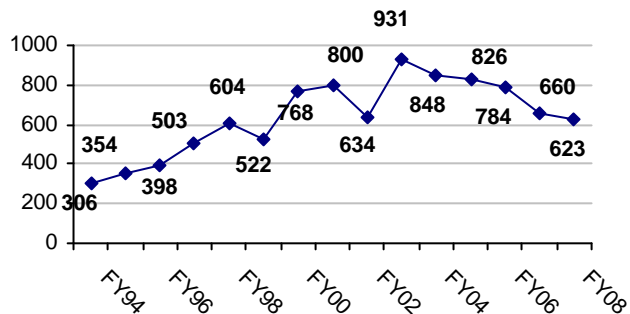
Caldwell



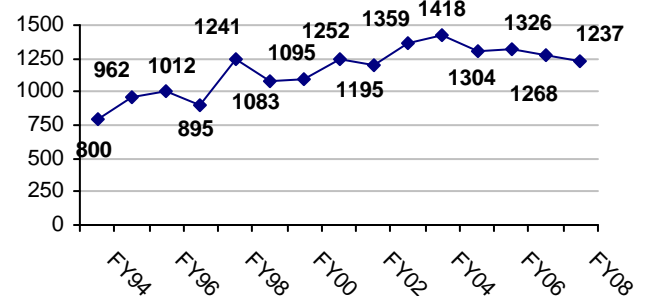
Callaway



Camden

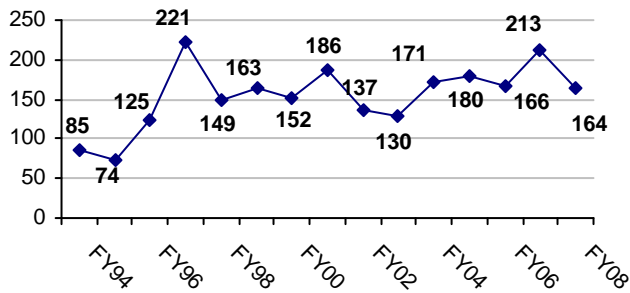


Cape Girardeau

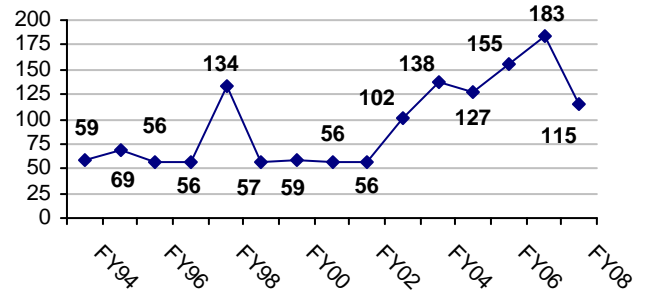


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

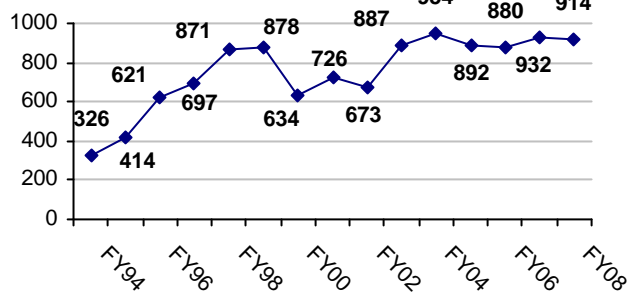
Carroll



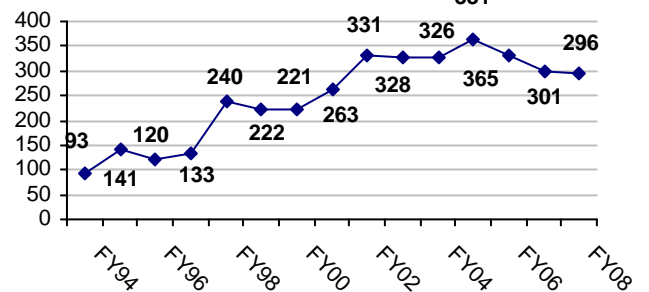
Carter



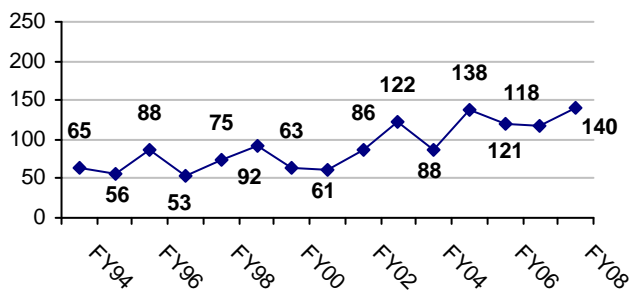
Cass



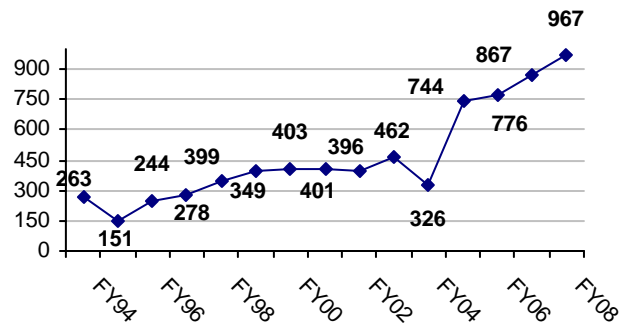
Cedar



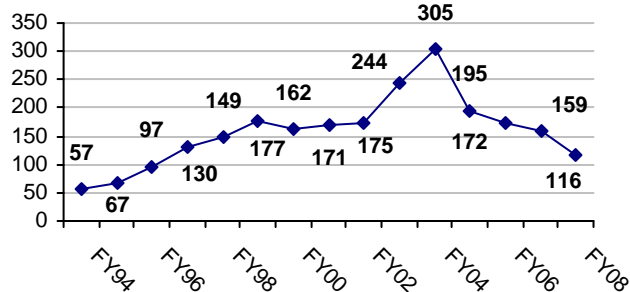
Chariton



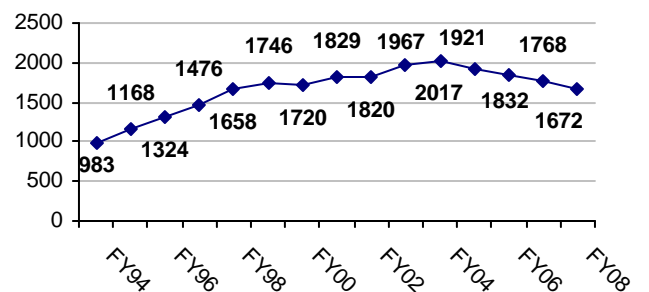
Christian



Clark

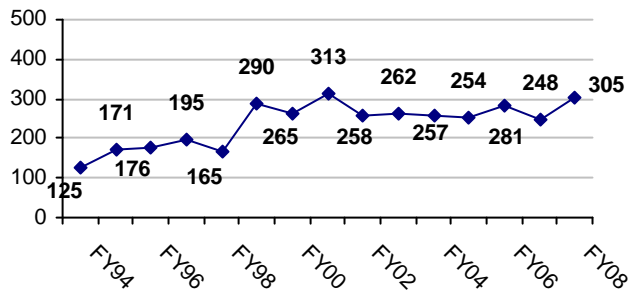


Clay

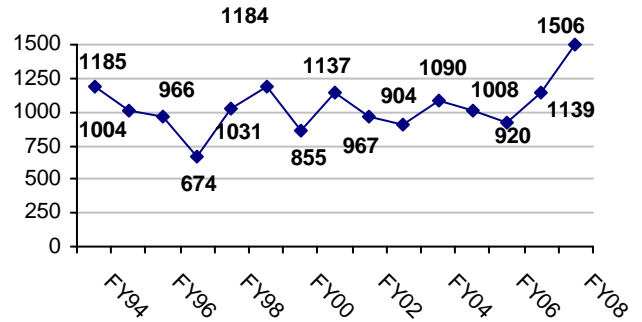


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

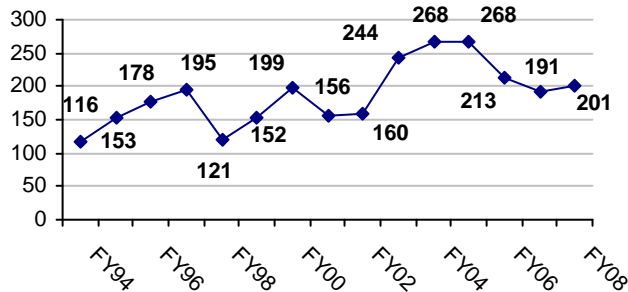
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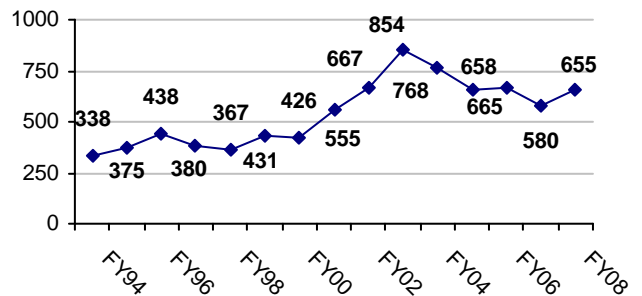
Cole



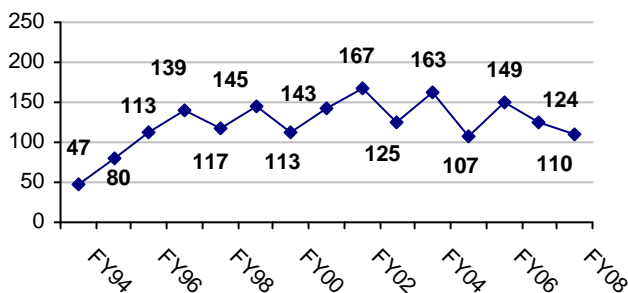
Cooper



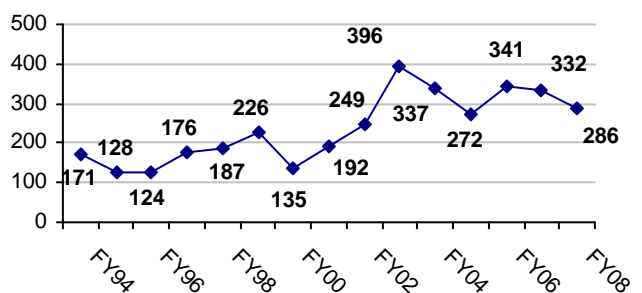
Crawford



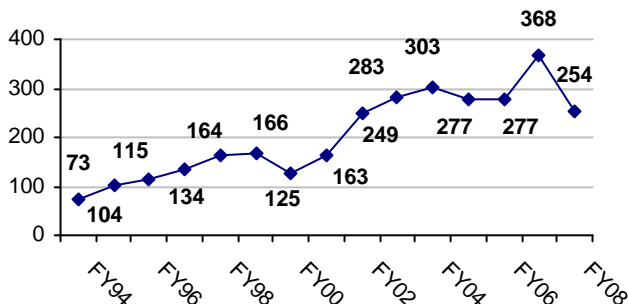
Dade



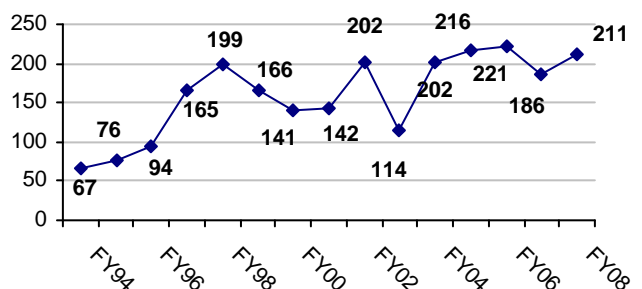
Dallas



Daviess

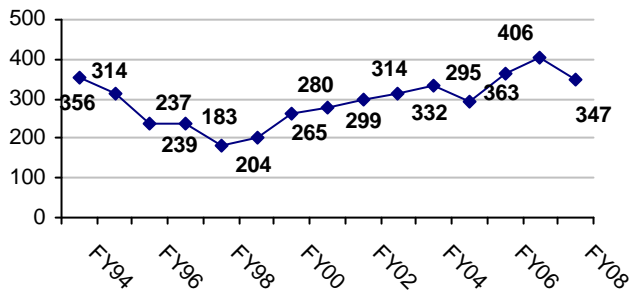


DeKalb

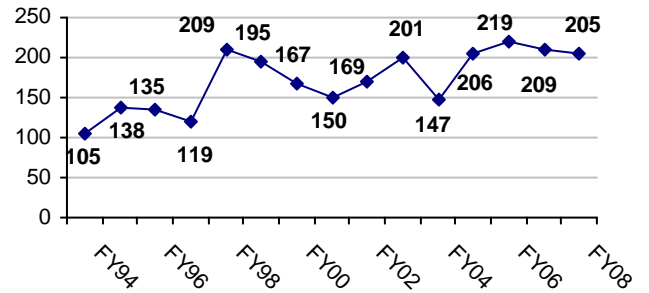


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

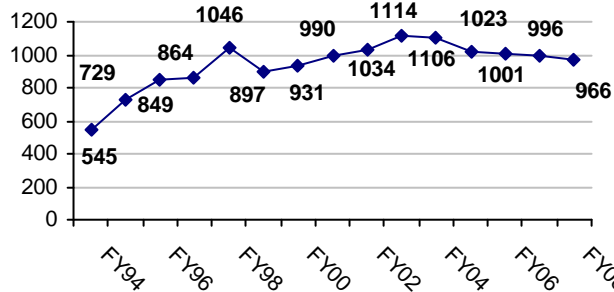
Dent



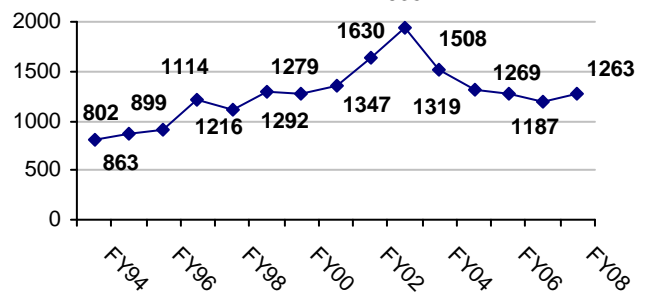
Douglas



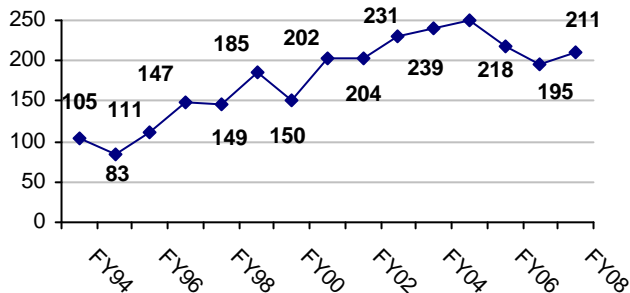
Dunklin



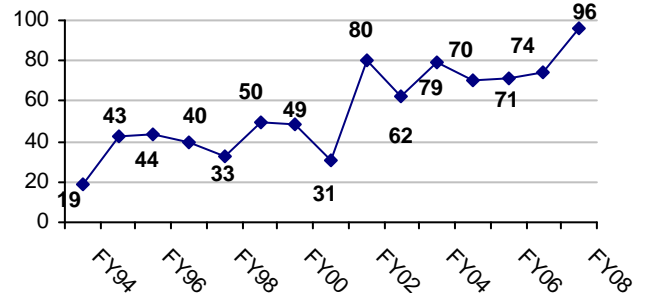
Franklin



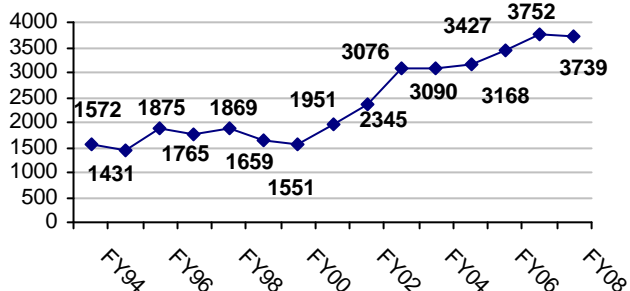
Gasconade



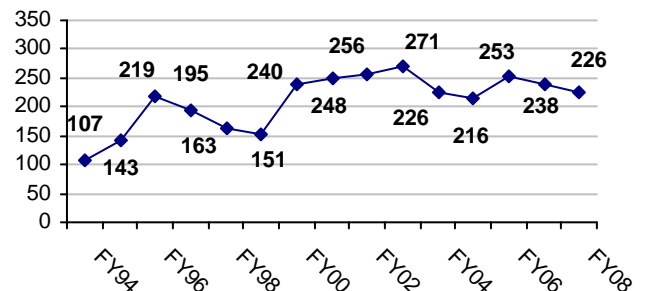
Gentry



Greene

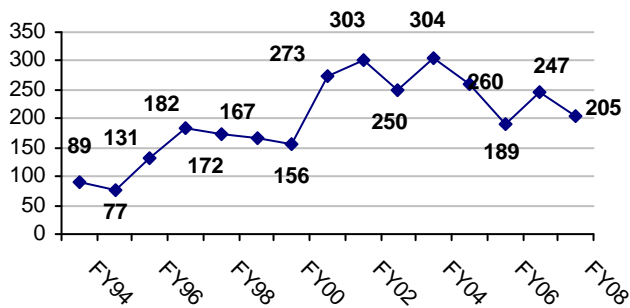


Grundy

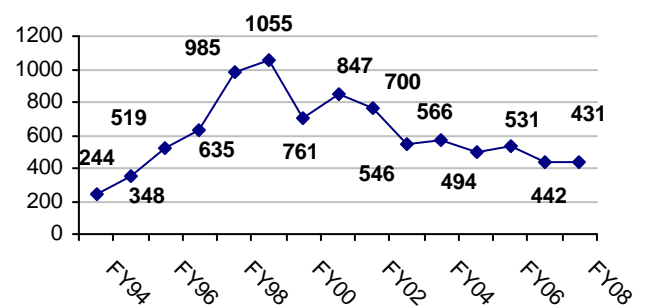


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

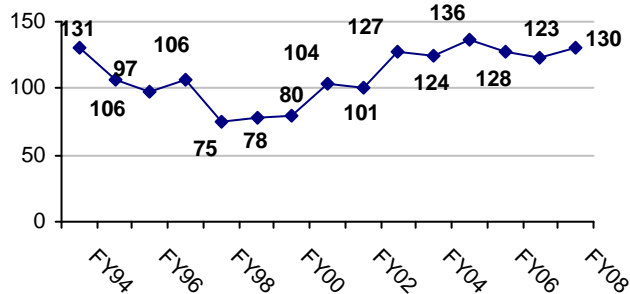
Harrison



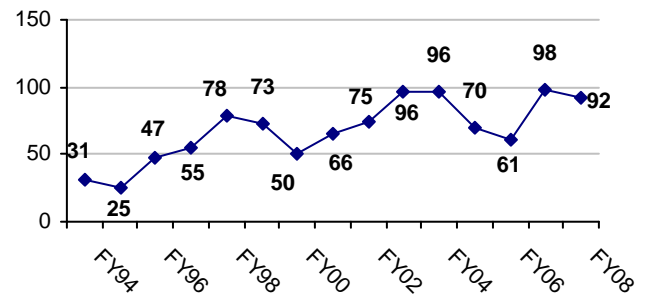
Henry



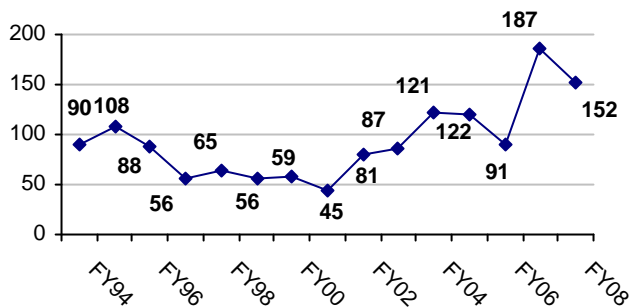
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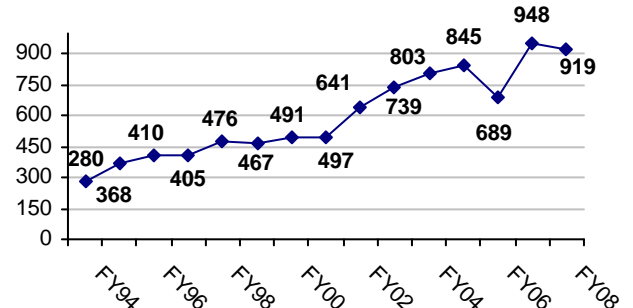
Holt



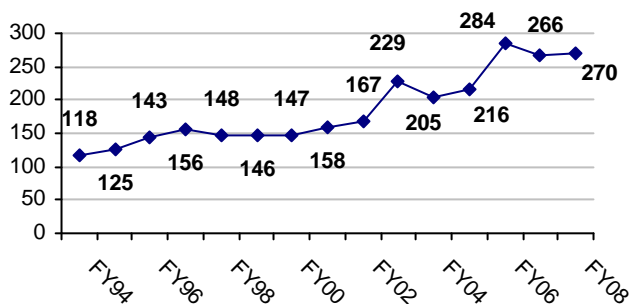
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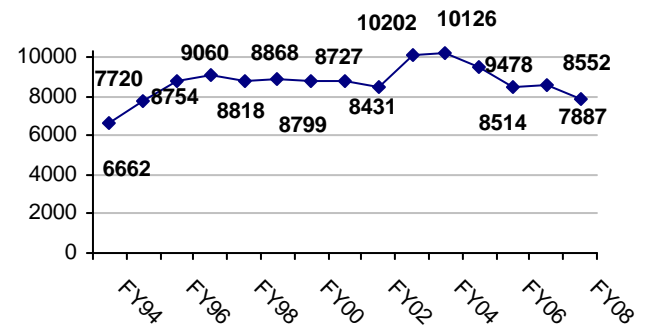
Howell



Iron

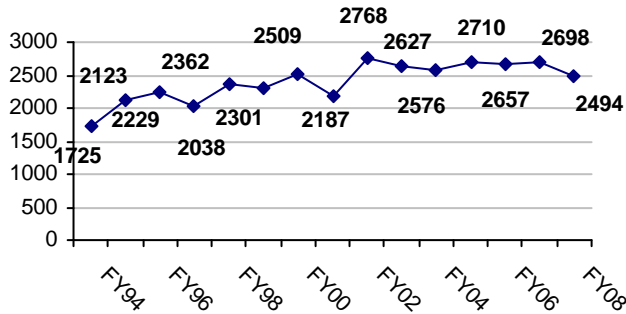


Jackson

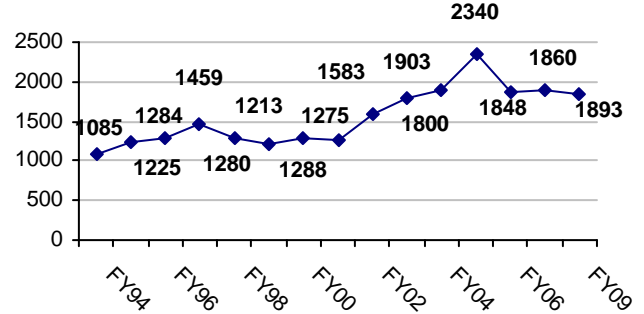


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

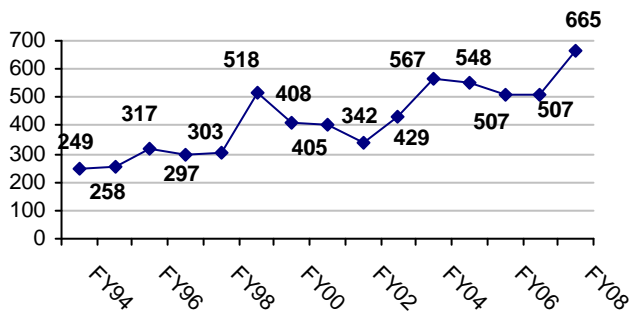
Jasper



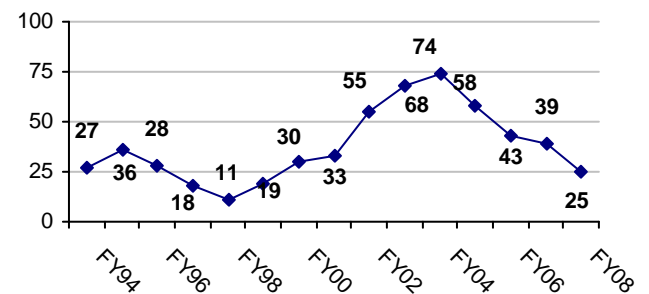
Jefferson



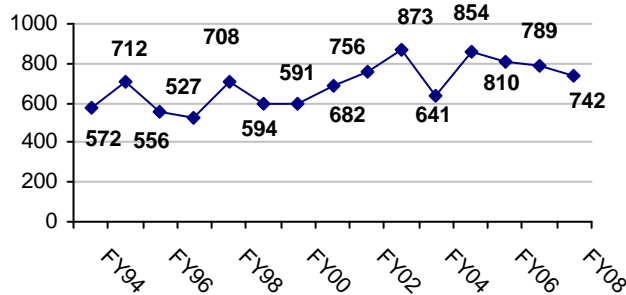
Johnson



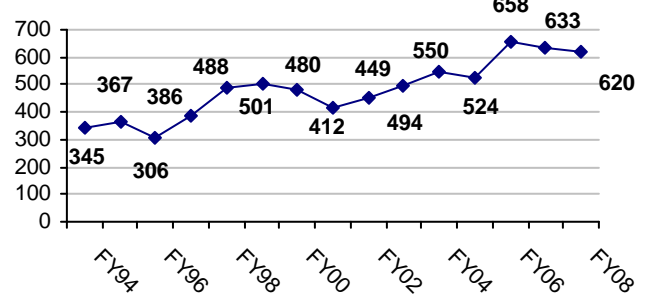
Knox



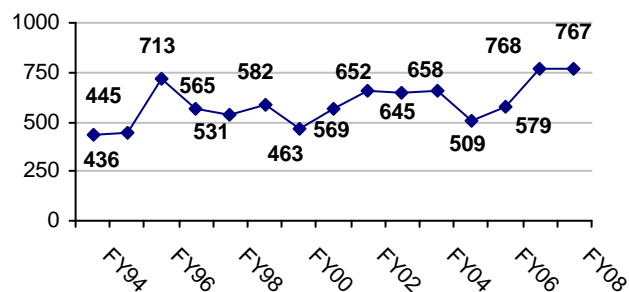
Laclede



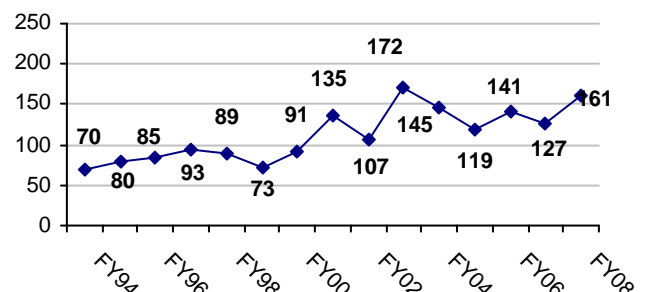
Lafayette



Lawrence

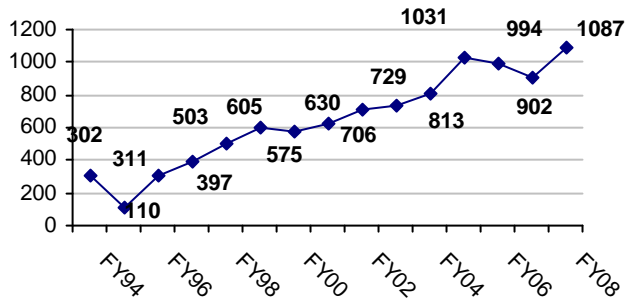


Lewis

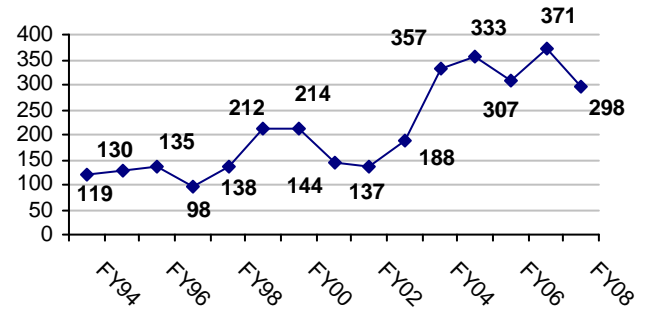


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

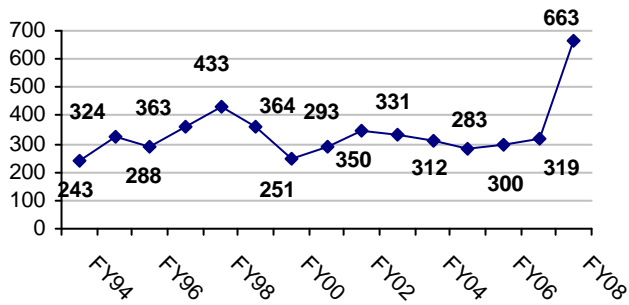
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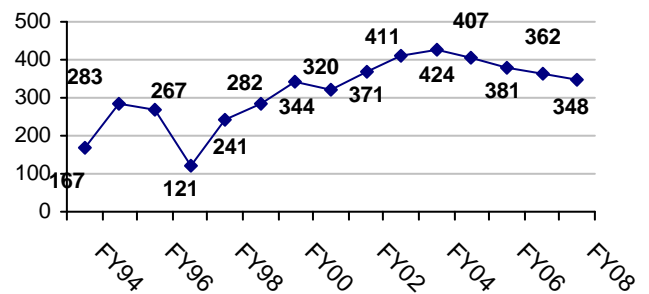
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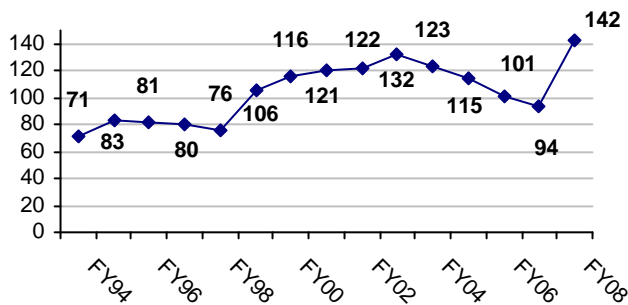
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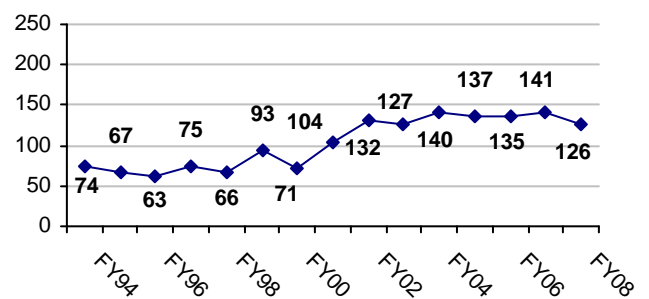
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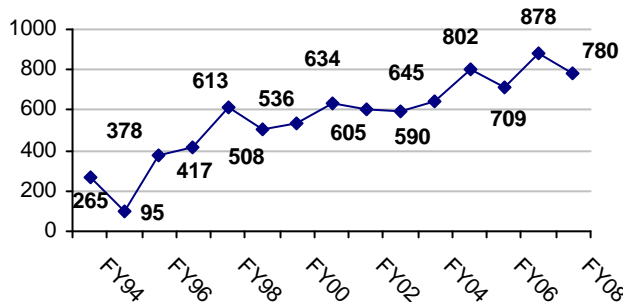
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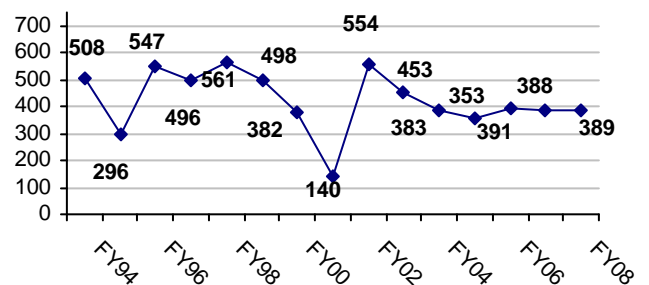
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Marion

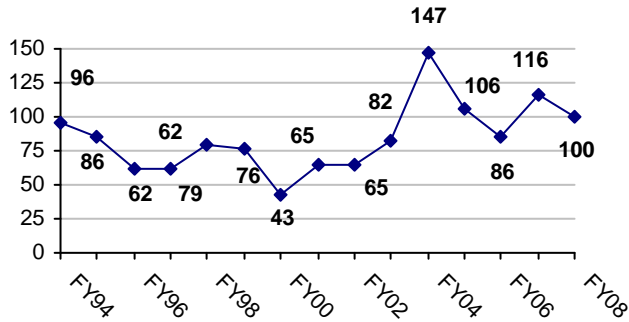


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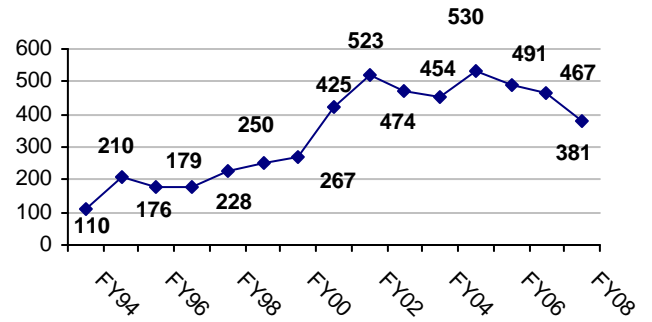


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

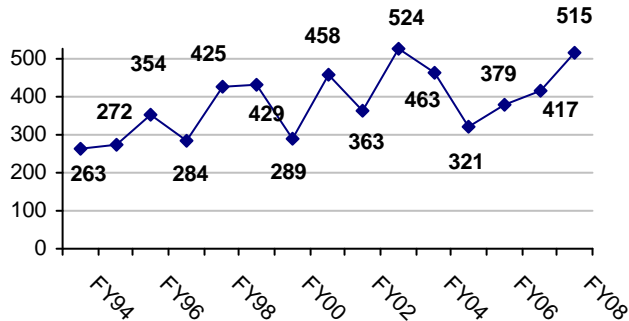
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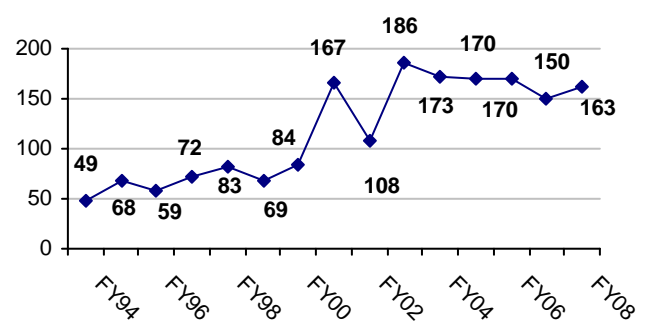
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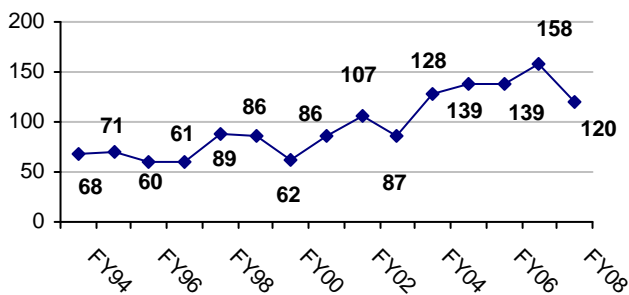
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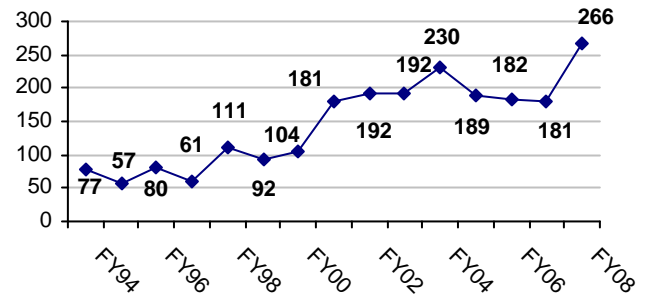
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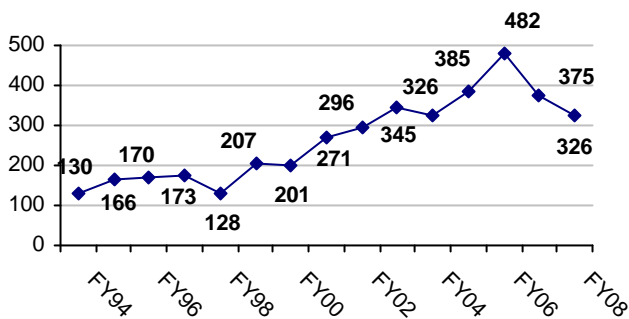
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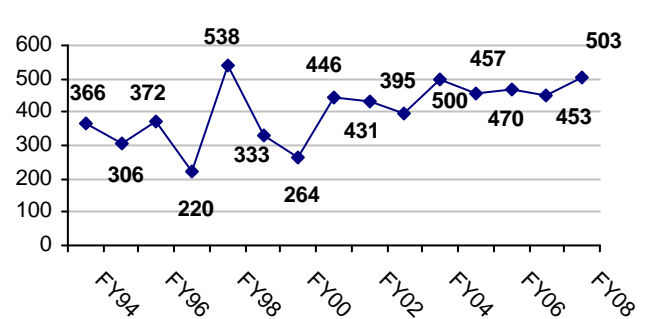
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Morgan

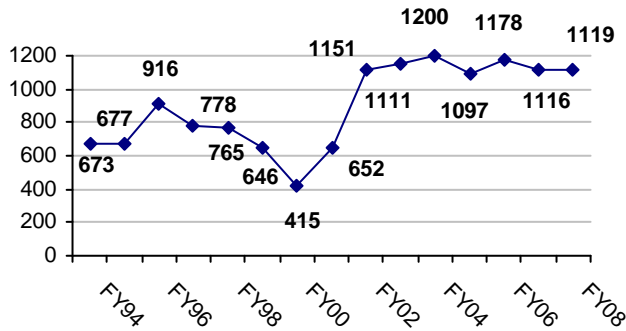


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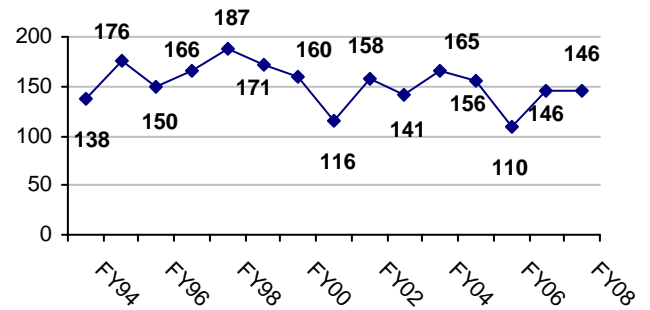


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

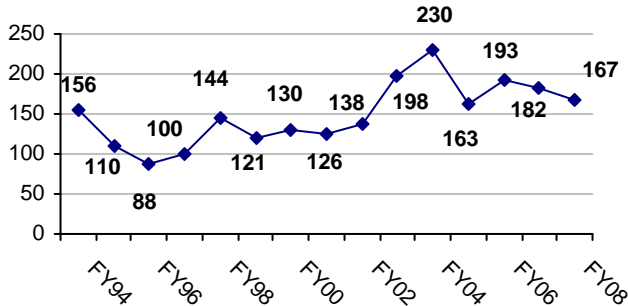
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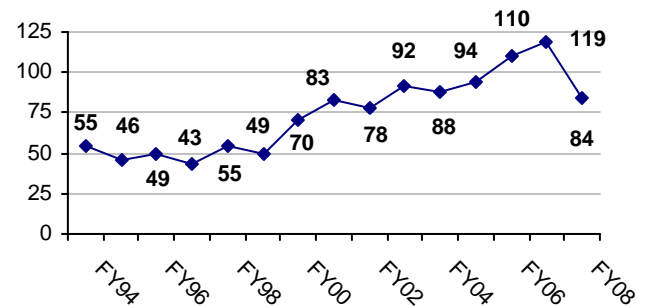
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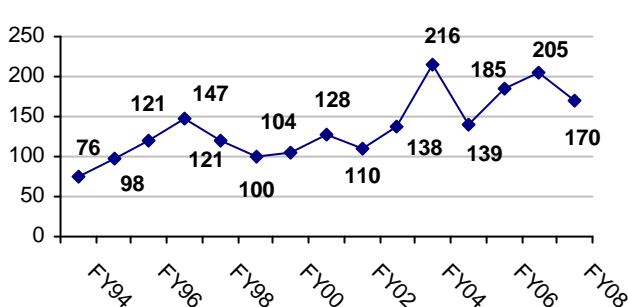
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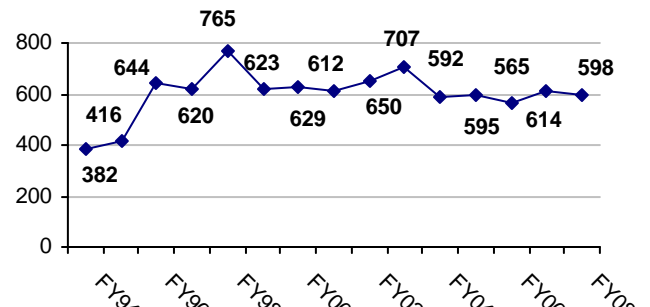
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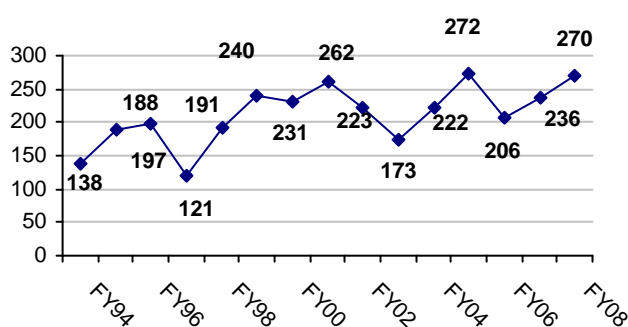
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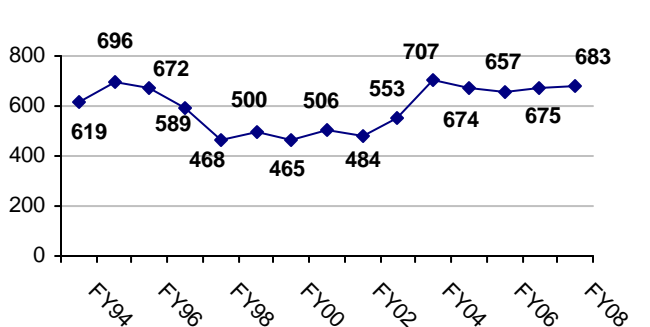
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Perry

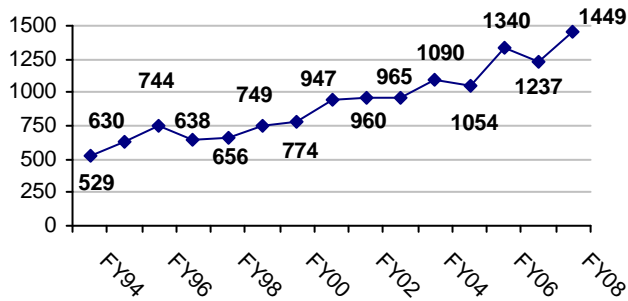


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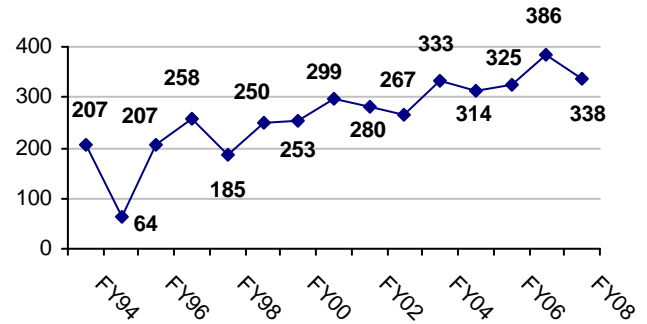


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

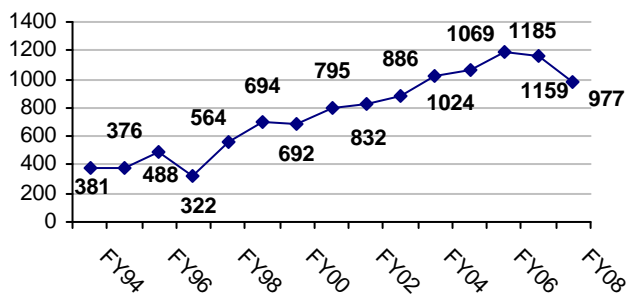
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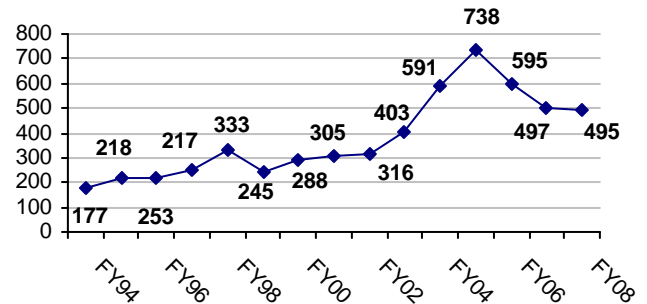
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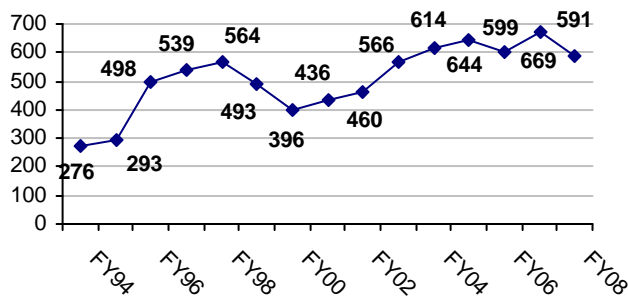
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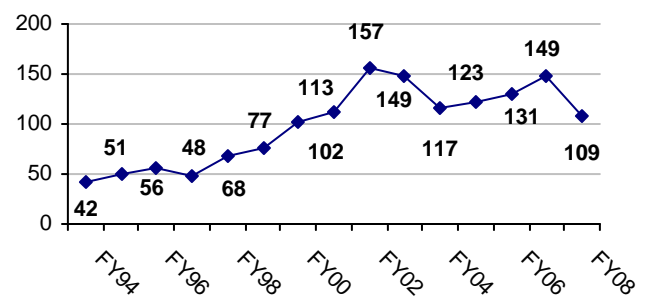
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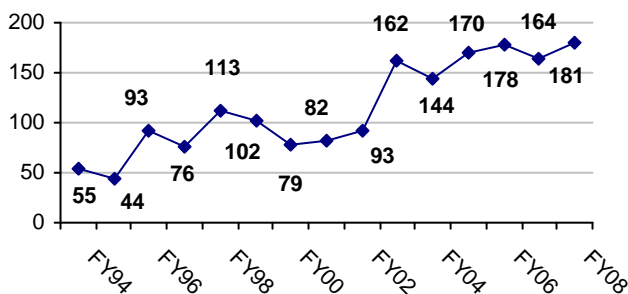
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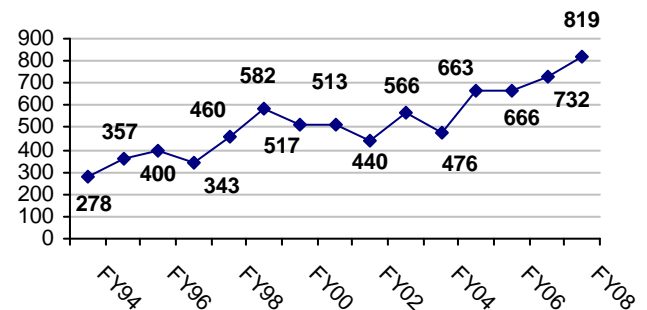
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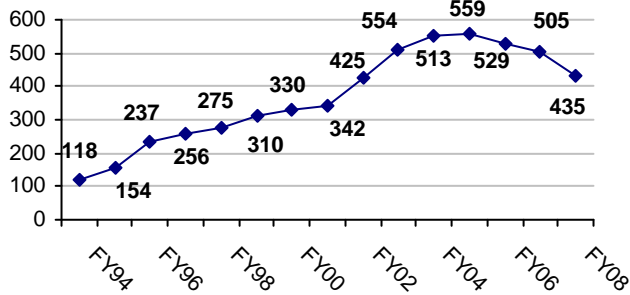


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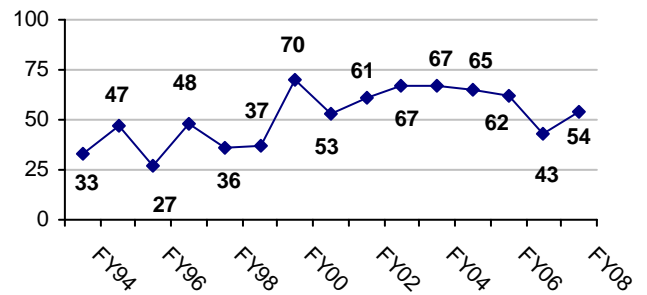


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

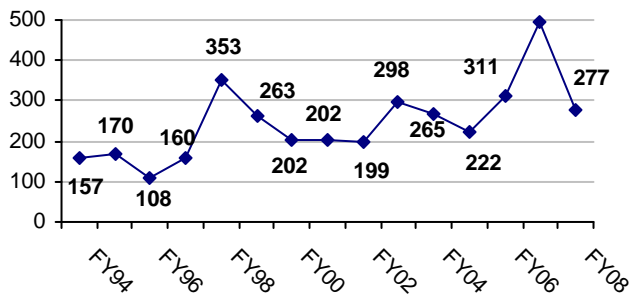
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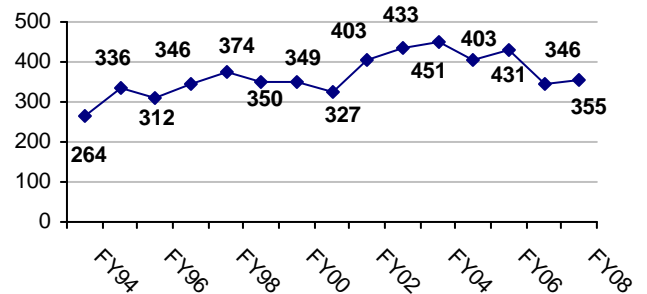
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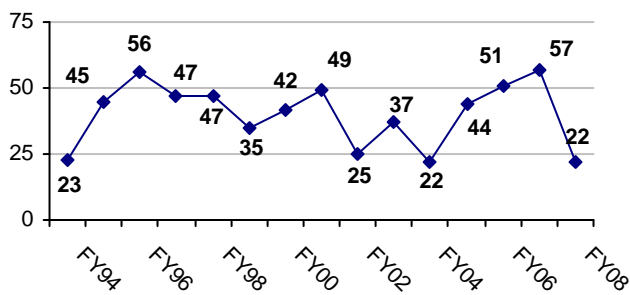
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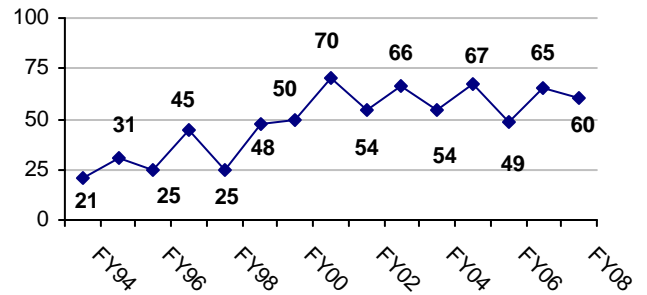
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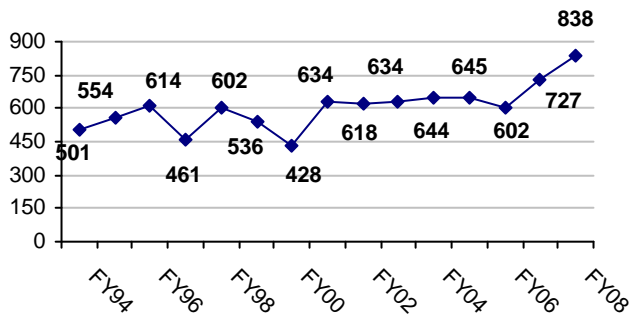
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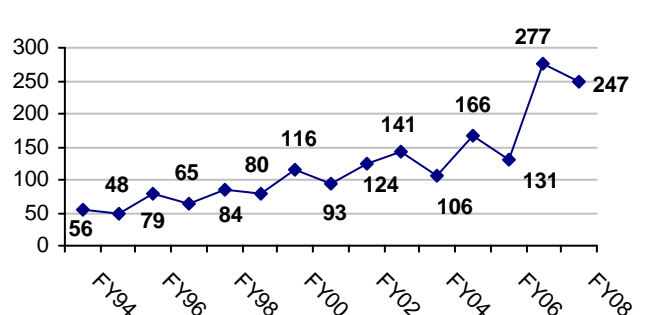
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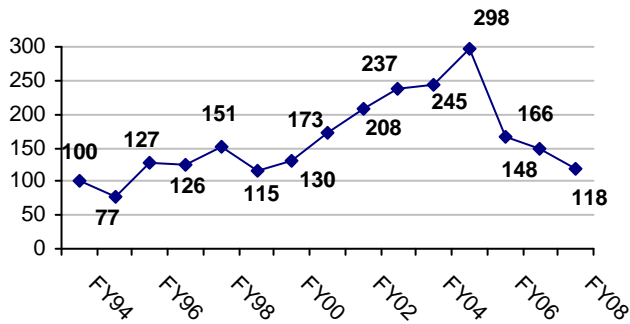


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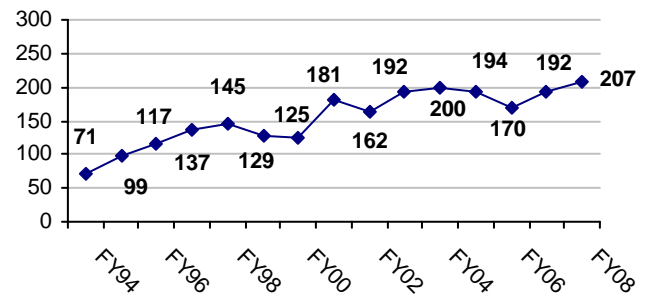


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

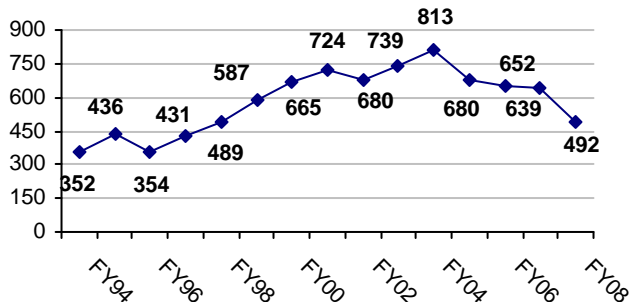
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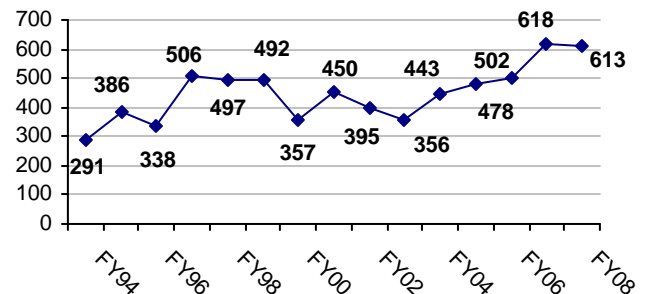
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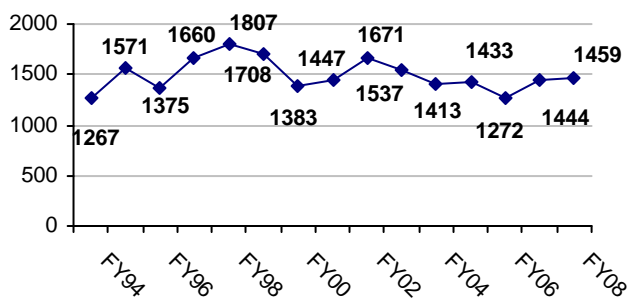
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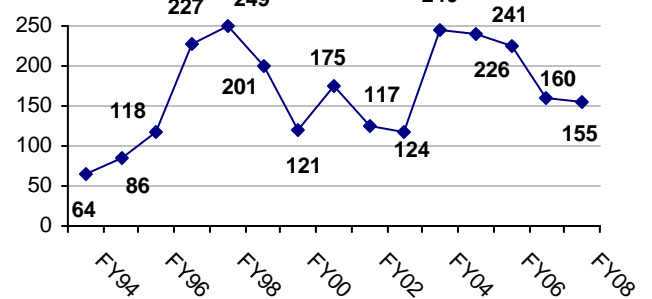
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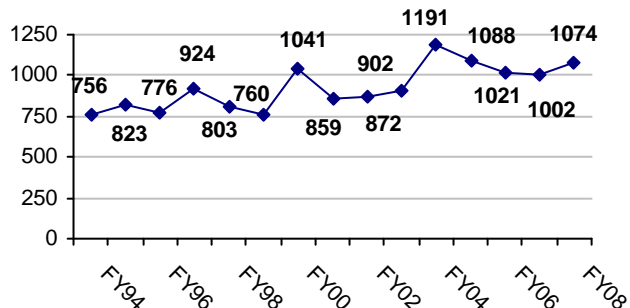
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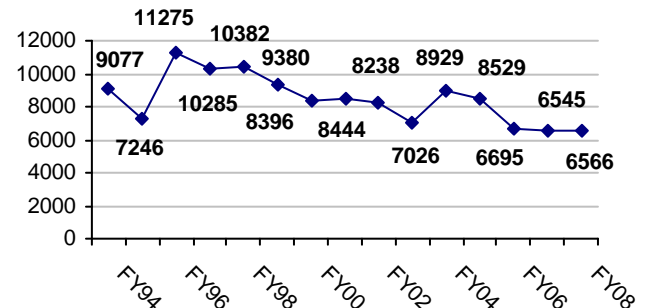
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St. Francois

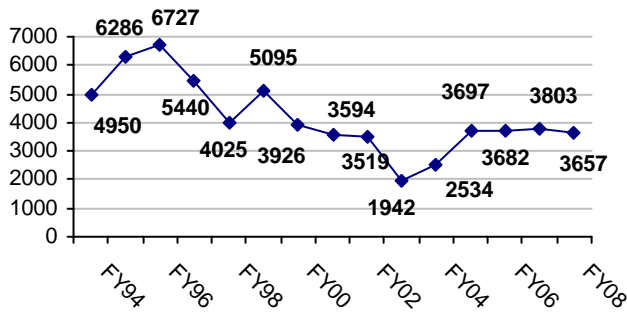


St. Louis City

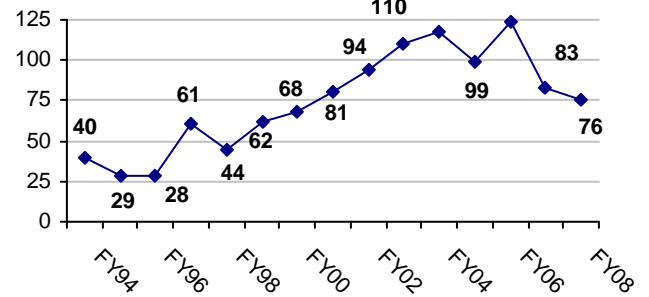


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

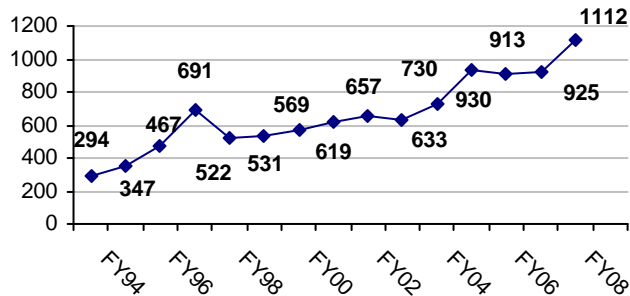
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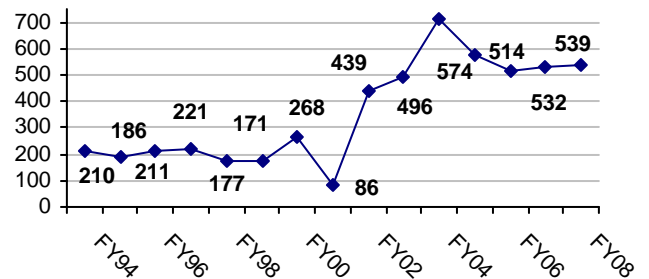
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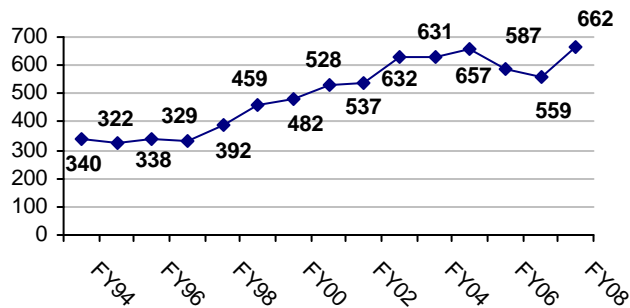
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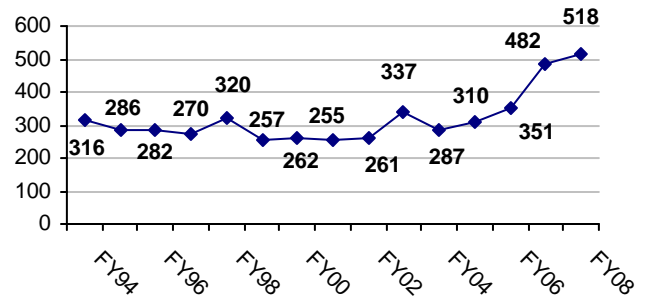
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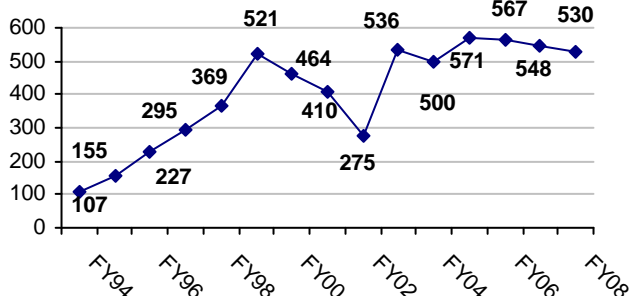
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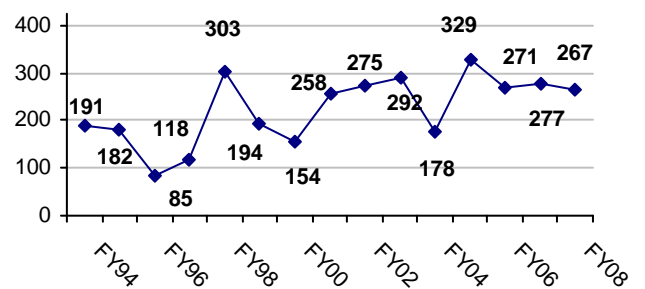
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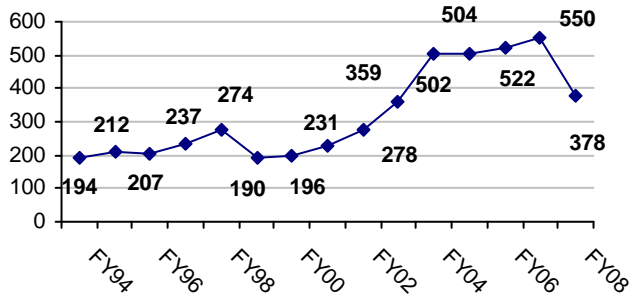


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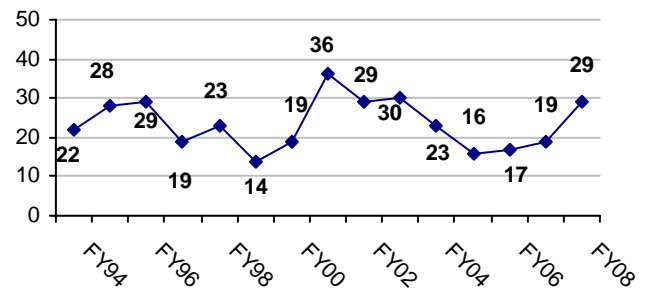


15 YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

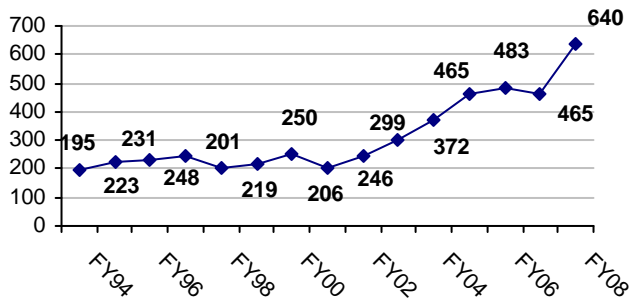
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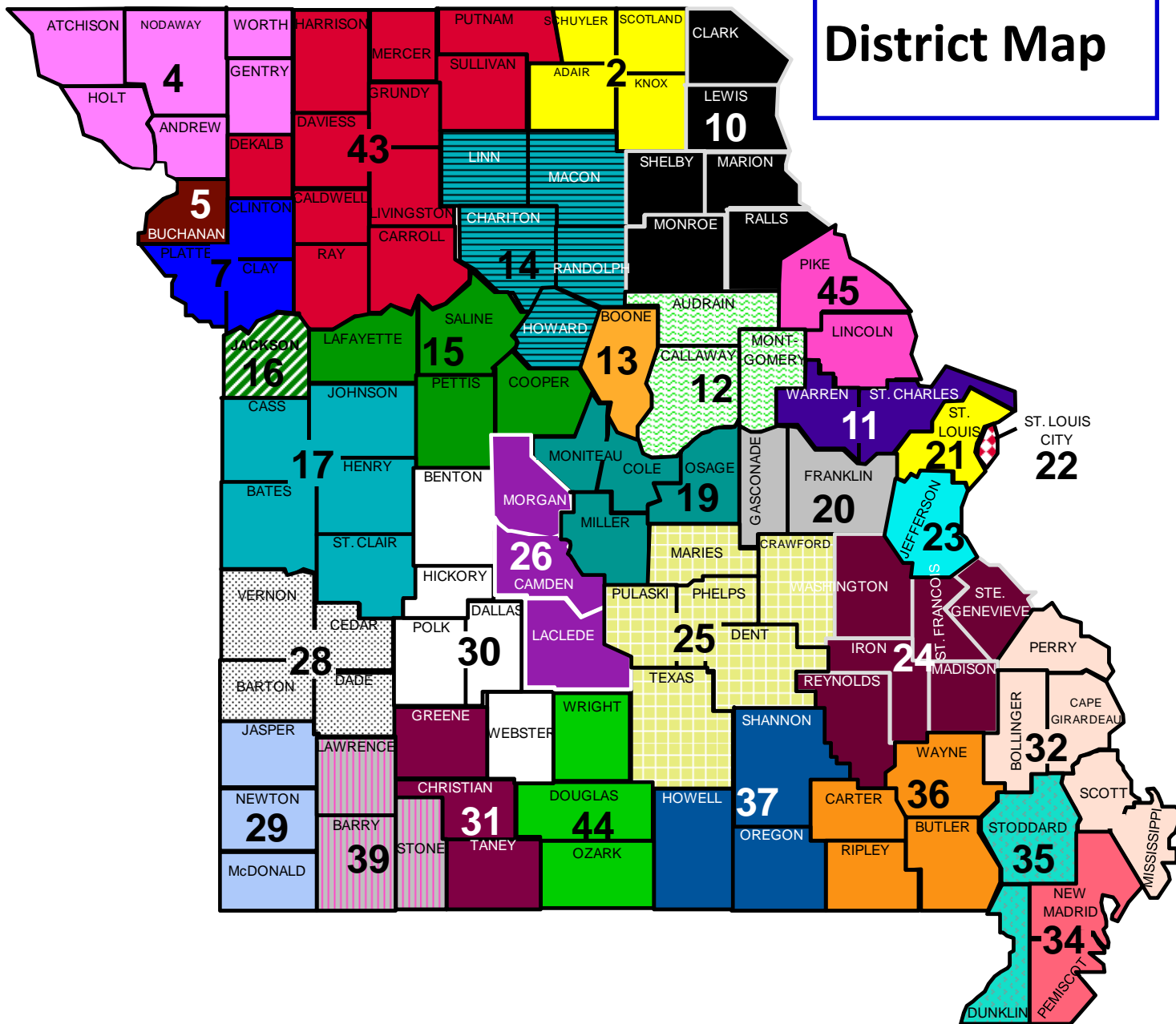
Worth



Wright



Trial Division District Map



Caseload and Cost Highlights

A. Caseload

1. Commitment Defense Representation

The Missouri State Public Defender Commitment Defense Unit represents poor people against whom the state has instituted civil commitment proceedings under Missouri's Sexually Violent Predator law. This law enables the state to indefinitely detain people who have no new conviction and who have completed their prison sentences on certain types of sex offenses.

The Commitment Defense cases require experienced attorneys familiar with complex litigation and the use of expert witnesses. In addition to extensive knowledge of criminal law, these cases also require our attorneys to have extensive knowledge of civil law and litigation. Courts have interpreted many of these civil commitment proceeding to be civil rather than criminal, but we

FY2007 Commitment Defense Unit Caseload Statistics	
	# of Cases
Opened in FY2008	
Petitions for Commitment	21
Petitions for Release	7
Total Opened for 2008	28
Closed in FY2008	
Commitment Cases	
Jury Trials	6
Bench Trials	3
Dismissal	2
Stipulations	5
Release Petition (Conflicted to Private Attorney)	2
Release Petition (Hired Private Counsel)	1
Release Cases	
Jury Trial	1
Preponderance Hearing	1
Petition Denied without Hearing	1
Release Petitions Delayed	3
Total Closed for 2008	25

Caseload and Cost Highlights

A. Caseload

2. Conflict Assignments and Contract Assignments

When the local public defender office has a conflict that prevents it from representing an eligible defendant (e.g. the office already represents a co-defendant or a witness in that case or on another matter), those cases must be provided other counsel. The majority of these cases are transferred to another public defender office, but such transfers are often not the most efficient since it then requires an assistant public defender to travel to another county for just one case or to see just one client. Often, the most efficient method of dealing with these conflicts is the hiring of private counsel to provide representation in the case. In FY2008, MSPD made 816 conflict assignments to such outside counsel.

Also, in FY 2008, MSPDS was appropriated \$1.15 million for caseload relief in the form of contract counsel. In FY 2008, 715 cases were contracted to private counsel.

FY2008 CONFLICT and CONTRACT ASSIGNMENTS - By Case Type -			
Code	Description	# of Cases Assigned	# of Cases Contracted
10	Murder – Death Penalty		
15	Murder – 1 st Degree	20	4
20	Other Homicide	12	7
30	A-B Felony	181	144
35	C-D Felony	254	386
40	Misdemeanor	88	105
52	Juvenile	42	8
54	Post Conviction Relief – Rule 24	142	9
59	Post Conviction Relief – Rule 29	21	
60	Chapter 552		
62	Sexual Predator		
65	Probation Violation	52	52
80	29.15 Appeal		
82	Direct Appeal		
	Other	4	
		816	715
	Total Private Counsel Conflict & Contract Assignments		1531

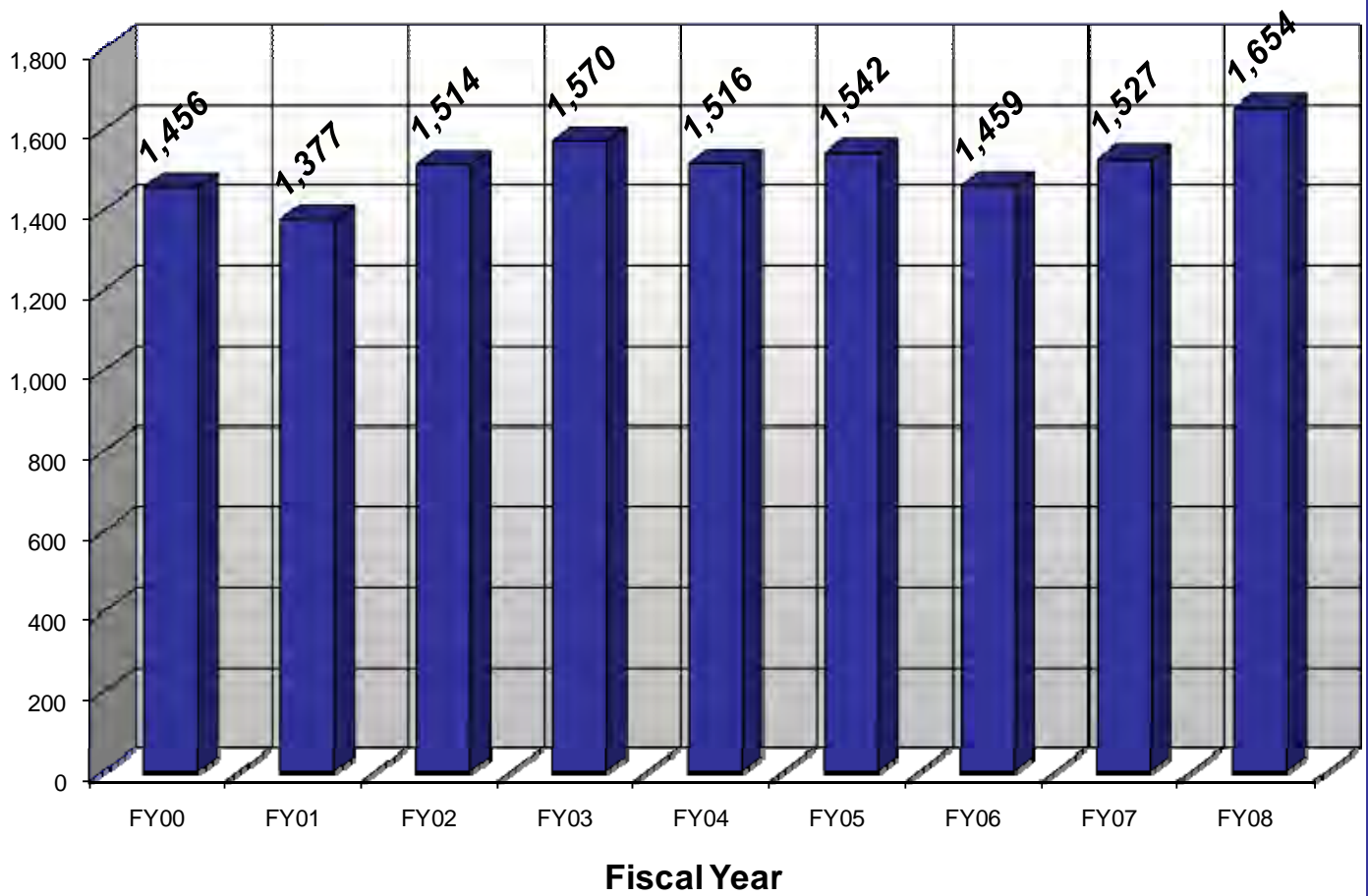
Caseload and Cost Highlights

A. Caseload

3. Appellate / Post Conviction Caseload

FY2008 APPELLATE DIVISION CASELOAD Cases Opened and Closed							
	Central Columbia		Eastern St. Louis		Western Kansas City		Totals
	Area 50	Area 67	Area 51	Area 68	Area 52	Area 69	
Death Post Conviction Relief							
Opened	1	1	0	0	0	0	2
Closed	2	1	1	0	0	0	4
Felony Appeals							
Opened	213	0	47	51	25	22	358
Closed	228	0	38	47	26	20	359
Misdemeanor Appeals							
Opened	15	0	0	2	0	0	17
Closed	3	0	0	0	0	0	3
Juvenile Appeals							
Opened	1	0	0	0	1	3	5
Closed	0	0	0	0	0	0	0
PCR Appeals							
Opened	58	35	71	82	40	31	317
Closed	69	26	73	97	38	38	341
PCR Trials							
Opened	0	325	169	146	138	112	890
Closed	0	332	149	143	114	88	826
Other (DNA, 29.07, 29.13, Rule 87, State's Appeals, 29.27, Writs, CDU)							
Opened	23	12	10	9	8	3	65
Closed	21	8	8	8	5	3	53
Appellate Division Totals							
Opened	311	373	297	290	212	171	1,654
Closed	323	367	269	295	183	149	1,586
Totals							
Opened	684		587		383		1,654
Closed	690		564		332		1,586
	Central Columbia		Eastern St. Louis		Western Kansas City		

New Appellate Cases



FY2008
Appellate Cases Disposed
By Disposition Code

Code		District 50	District 51	District 52	District 67	District 68	District 69
42	Conflict (Transferred for Assignment)	0	11	11	121	13	4
41	Conflict (Transfer to Public Defender Office)	9	3	15	4	18	32
37	Guilty Plea Vacated	0	3	1	3	5	3
36	Reversed for Sufficiency/Client Discharged	3	0	0	0	0	0
35	Reversed - Findings of Fact/Conclusions of Law	0	0	0	0	0	0
34	Reversed for New Trial	0	0	1	0	0	0
33	Reversed & Remanded for Sentencing Relief	0	0	7	17	10	1
32	Reversed & Remanded for Resentencing	4	0	0	0	0	1
31	Reversed & Remanded for PCR Hearing	2	1	1	0	1	0
30	Reversed & Remanded for New Trial	15	1	3	1	2	3
21	Denied Without Hearing	1	40	8	24	43	7
20	Denied After Hearing	0	34	22	62	27	25
12	Summary Affirmance	147	83	9	0	107	1
11	Affirmed in part/Reversed & Remanded in Part	5	2	0	1	2	3
10	Affirmed After Opinion	82	7	38	21	10	36
03	Dismissed by Court	13	23	19	44	15	1
02	Voluntary Dismissal	25	44	40	55	29	23
01	Withdraw	14	11	6	8	12	5
00	Unknown	3	6	2	6	1	4
	Totals	323	269	183	367	295	149

Caseload and Cost Highlights

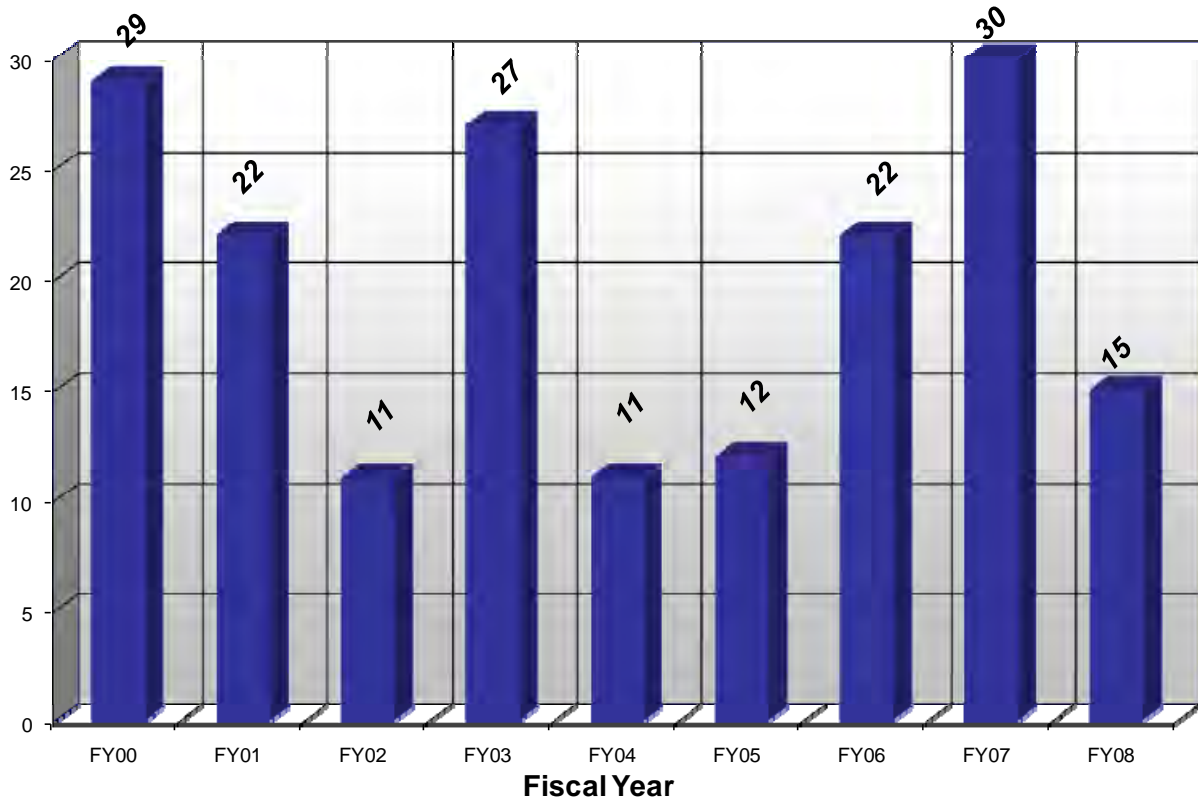
A. Caseload

4. Capital Division Caseload

FY2008 CAPITAL DIVISION Death Penalty Caseload		
	Opened	Closed
Central Office - Columbia -		
Trials	2	3
Appeals - Death	2	0
Totals	4	3
Eastern Office - St. Louis City -		
Trials	8	23
Appeals - Death	1	0
Totals	9	23
Western Office - Kansas City -		
Trials	1	2
Appeals - Death	1	1
Totals	2	3
Total Death Penalty		
Trials	11	28
Appeals - Death	4	1
Totals	15	29

The Direct Appeals of Death Penalty Cases was transferred to the Capital Division in October of 1997. In addition to the Direct Appeals, the staff assigned to direct appeals of death penalty cases assist the Capital Division Trial staff in trial preparation.

New Capital Cases



FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 12

94TH GENERAL ASSEMBLY

Fiscal Year 2008

Section 12.400. To the Office of State Public Defender

For the purpose of funding the State Public Defender System

Personal Service - 0911	\$25,604,904
Expense & Equipment - 0912	<u>\$3,684,200</u>

Subtotal – Full Flexibility is allowed between these two appropriations	\$29,289,104
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For payment of expenses as provided by Chapter 600, RSMo., associated with the defense of violent crimes and/or the defense of cases where a conflict of interest exists - 8727	<u>\$3,391,502</u>
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From General Revenue Fund - 0101	\$32,680,606
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For expenses authorized by the Public Defender Commission as
provided by Section 600.090, RSMo.

Personal Service – 0951	\$125,735
Expense and Equipment - 7673	<u>\$2,850,756</u>

From Legal Defense and Defender Fund - 0670	\$2,976,491
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For refunds set-off against debts as required by
Section 143.786, RSMo. (Estimated Appropriation)

From Debt Offset Escrow Fund Fund 0753 – App. #3023	\$350,000E
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For all grants and contributions of funds from the federal government
or from any other source which may be deposited in the State Treasury
for the use of the Office of the State Public Defender

From Federal Fund Fund 0112 – App. # 4006	<u>\$125,000</u>
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Total (Not to exceed 560.13 F.T.E.)	\$36,132,097
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Cost of Cases Closed

The direct cost, on average, of all cases disposed by the State Public Defender System (including Death Penalty Representation) in Fiscal Year 2008 was \$339.62. The Trial Division average was \$267.04. These both compare very favorable to the last computed average under the old appointed counsel system of \$390 per case in 1981.

FY 2008 - Trial Division Cost Per Case

	Location	Current District Defender	Total Costs For District	FY08 Cases Assigned	Cost Per Assignment	FY08 Cases Disposed	Cost Per Disposition
1	Juvenile	Office Closed	\$39,487.86	Office Closed		195	
2	Kirksville	Kevin Locke	\$191,971.05	505	\$380.14	536	\$358.15
4	Maryville	Michelle Davidson	\$215,951.48	594	\$363.55	556	\$388.40
5	St. Joseph	Susan Rinne	\$526,528.36	2,040	\$258.10	2,183	\$241.19
6	Kansas City Juvenile	Office Closed	\$13,158.12	Office Closed		143	
7	Liberty	Anthony Cardarella	\$807,563.58	3,118	\$259.00	3,107	\$259.92
10	Hannibal	Todd Schulze	\$352,305.92	1,432	\$246.02	1,466	\$240.32
11	St. Charles	Richard Scheibe	\$454,874.98	1,881	\$241.83	1,908	\$238.40
12	Fulton	Justin Carver	\$432,668.95	1,651	\$262.06	1,694	\$255.41
13	Columbia	Kevin O'Brien	\$860,382.51	4,473	\$192.35	4,524	\$190.18
14	Moberly	Ray Legg	\$416,671.26	1,759	\$236.88	1,801	\$231.36
15	Sedalia	Kathleen Brown	\$467,096.08	1,796	\$260.08	1,852	\$252.21
16	Kansas City	Joel Elmer	\$2,628,422.57	8,470	\$310.32	7,690	\$341.80
17	Harrisonville	Jeffery Martin	\$637,973.08	2,549	\$250.28	2,522	\$252.96
19	Jefferson City	Jan King	\$433,456.52	2,347	\$184.69	2,214	\$195.78
20	Union	Lisa Preddy	\$409,746.32	1,497	\$273.71	1,470	\$278.74
21	St. Louis County	Laura O'Sullivan	\$1,340,141.30	4,217	\$317.79	3,761	\$356.33
22	St. Louis City	Mary Fox	\$2,130,903.80	6,626	\$321.60	6,467	\$329.50
23	Hillsboro	Val Held	\$475,845.82	1,463	\$325.25	1,816	\$262.03
24	Farmington	Wayne Williams	\$597,403.63	2,443	\$244.54	2,255	\$264.92
25	Rolla	Donna Holden	\$703,643.19	3,365	\$209.11	3,649	\$192.83
26	Lebanon	Karie Comstock	\$500,199.78	1,782	\$280.70	1,753	\$285.34
28	Nevada	Joe Zuzul	\$362,021.32	1,288	\$281.07	1,323	\$273.64
29	Joplin	Darren Wallace	\$1,214,858.85	3,896	\$311.82	3,899	\$311.58
30	Buffalo	Dewayne Perry	\$386,162.61	1,514	\$255.06	1,506	\$256.42
31	Springfield	Rod Hackathorn	\$1,284,704.16	5,573	\$230.52	5,626	\$228.35
32	Jackson	Chris Davis	\$775,749.87	3,004	\$258.24	2,885	\$268.89
34	Caruthersville	Brandon Sanchez	\$260,556.45	1,148	\$226.97	1,109	\$234.95
35	Kennett	Catherine Rice	\$337,336.55	1,504	\$224.29	1,452	\$232.33
36	Poplar Bluff	Steven Lynxwiler	\$371,028.45	1,829	\$202.86	1,813	\$204.65
37	West Plains	Donna Anthony	\$335,913.42	1,243	\$270.24	1,338	\$251.06
39	Monett	Clate Baker	\$659,447.19	2,281	\$289.10	2,370	\$278.25
43	Chillicothe	David Miller	\$707,181.81	2,626	\$269.30	2,669	\$264.96
44	Ava	Linda McKinney	\$247,175.47	878	\$281.52	957	\$258.28
45	Troy	Thomas Gabel	\$302,007.40	<u>1,381</u>	\$218.69	1,428	\$211.49

FY 2008 - Commitment Denfense Unit Cost Per Case

	Location	Current District Defender	Total Costs For District	FY08 Cases Assigned	Cost Per Assignment	FY08 Cases Disposed	Cost Per Disposition
71	Civil Commitment Unit	Tim Burdick	\$422,879.76	28	\$15,102.85	25	\$16,915.19

FY 2008 - Appellate Division Cost Per Case

	Location	Current District Defender	Total Costs For District	FY08 Cases Assigned	Cost Per Assignment	FY08 Cases Disposed	Cost Per Disposition
50	Columbia Appellate	Ellen Flottman	\$754,208.07	311	\$2,425.11	323	\$2,335.01
51	St. Louis Appellate	Scott Thompson	\$550,852.77	297	\$1,854.72	269	\$2,047.78
52	Kansas City Appellate	Susan Hogan	\$363,402.43	212	\$1,714.16	183	\$1,985.81
67	Appellate/PCR Central A	Steve Harris	\$652,029.28	373	\$1,748.07	367	\$1,776.65
68	Appellate/PCR Eastern B	Renee Robinson	\$403,221.72	290	\$1,390.42	295	\$1,366.85
69	Appellate/PCR Western B	Ruth Sanders	\$220,402.65	171	\$1,288.90	149	\$1,479.21

FY 2008 - Capital Division Cost Per Case

	Location	Current District Defender	Total Costs For District	FY08 Cases Assigned	Cost Per Assignment	FY08 Cases Disposed	Cost Per Disposition
53	Columbia Capital	Jan Zembles	\$1,195,454.00	4	\$298,863.50	3	\$398,484.67
54	St. Louis Capital	Robert Wolfrum	\$1,328,236.29	9	\$147,581.81	23	\$57,749.40
55	Kansas City Capital	Tom Jackquintot	\$613,382.07	2	\$306,691.04	3	\$204,460.69

Fiscal Year 2010

Legislative Budget Request

Caseload Crisis—Continues

FY2010—\$4,099,328

FY2009 –Supplemental—\$2,784,354

MSPD has had no addition to its staff in eight years while its caseload has risen by over 12,000 cases. According to an October, 2005 independent assessment by a national expert on indigent defense systems retained by the Missouri Bar, the Missouri State Public Defender System is operating in crisis mode and ‘the probability that public defenders are failing to provide effective assistance of counsel and are violating their ethical obligations to their clients increases every day.’”

Despite an increase of slightly over \$1 million in the amount of money available for contracting out conflict and caseload overload cases, the overall situation has not improved in the two years since that report was issued. At the National Caseload Reform Summit hosted by the American Council of Chief Defenders in August, 2007, Missouri was one of only seven states named on a “States in Crisis” list provided to program attendees. Missouri maintains the poorest funded statewide public defender system in the nation [20th out of 20] and has the lowest per-capita annual indigent defense expenditure of all southern states except Mississippi, for which data was not available. Missourians’ commitment to justice demands better.

Unlike every other state agency who routinely tailor their services to the resources available, MSPD performs only one function and that one function is constitutionally mandated. An American Bar Association Ethics Opinion issued on July 6, 2006 clarified that public defenders are under the same obligations as any other attorney not to take on more cases than they can effectively handle; and they are equally subject to professional discipline and possible loss of their licenses to practice law if they do so, just as a medical doctor who continually took on more patients than he had time to adequately care for could expect to face discipline and possible loss of his license to practice medicine as a result.

Not only are Missouri’s lawyer employees professionally at risk under the current system, the state of Missouri and its citizens are at risk. Cases are delayed, denying victims as well as defendants a timely resolution of their cases. More than one legislator has fielded angry calls from constituents wanting to know why their case of interest has been delayed yet again due to the inability of the public defender to be ready on the case. The chances of convictions being overturned due to ineffective assistance of counsel increases as the caseloads of the attorneys go up, as does the chance that an innocent person will be convicted because his lawyer lacked the time to fully investigate and prepare for his case. As Governor Blunt stated in announcing that construction of the Springfield Crime Lab would proceed, “Justice delayed is justice denied.” Missouri’s State Public Defender System is an integral part of making justice happen in Missouri and it is in dire need of additional resources

For the past eight years, MSPD has tried unsuccessfully to obtain funding to increase the number of public defenders to address the increasing caseload. Due to this continued lack of funding, at its November 2, 2007 meeting, the Public Defender Commission adopted a new Agency Rule and a new Caseload Crisis Protocol.

The Protocol establishes a procedure for determining the maximum weighted caseload each public defender district office can reasonably be expected to handle. The Rule authorizes the MSPD Director to place a district on "limited availability status" when the total workload hours of the cases assigned exceed the maximum allowable caseload for that office for three consecutive months. After a period of consultation with the courts, an office on 'limited availability status' will identify certain categories of cases it will no longer accept for as long as the office remains overloaded. **Since defendants facing a risk of jail time cannot constitutionally be prosecuted without a right to counsel, the impact on the criminal justice system of the public defender having to turn away cases will be immediate and significant.**

Effective August 1st, MSPD began implementation of this new Missouri State Pubic Defender Commission Rule on Caseload (18 CSR 10-4.010). Pursuant to the Rule and Commission Caseload Protocols, a number of public defender offices exceeding their maximum allowable caseloads have already been placed on limited availability status and more certifications are in the pipeline. **Currently every single trial division public defender district office qualifies for certification due to excessive caseload levels.** Once certified, a district office will remain on limited availability status until its caseload falls back below maximum allowable caseload levels

By utilizing the MSPD Modified National Advisory Counsel caseload standards, the Office of the State Public Defender can determine the maximum allowable caseload that district office can handle over the fiscal year. To determine if an office is exceeding that standard, we must then compare this number to the hours required to handle the caseload that office has been assigned during the fiscal year under examination.

We determine the number of cases assigned to that office in each category of case type – e.g. how many murders, how many sex cases, how many felony drug cases, etc. during the preceding fiscal year. The number of cases in each category is then multiplied by the number of hours set forth in the Missouri Modified NAC table below, and then totaled to determine the total number of attorney hours *needed* to handle the caseload assigned.

MSPD Modified NAC Standards	
Type of Case	Hours Required
Non Capital Homicides	173
Sex Offenses - A & B	31
Other Felony Offenses	14
Misdemeanors	5
Juvenile Cases	10
Appeals	83
29.15 Cases	62
24.305 Cases	21
Probation Violations	5

FY08 ASSIGNED CASES - Trial Division & Contract Counsel					
Case Type		FY08 Trial Division Cases	FY08 Case Overload Contract Relief	Hours Required for Case Type	FY08 NAC Modified Required Hours
15	Murder 1st Degree	122	4	173	21,798
20	Other Homicide	135	7	173	24,566
30D	AB Felony Drug	2,698	59	14	38,598
30F	AB Felony Other	3,560	72	14	50,848
30X	AB Felony Sex	689	13	31	21,762
35D	CD Felony Drug	5,874	120	14	83,916
35F	CD Felony Other	20,652	261	14	292,782
35X	CD Felony Sex	370	5	31	11,625
45M	Misdemeanor	17,994	74	5	90,340
45T	Misdemeanor - Traffic	7,911	31	5	39,710
50N	Juvenile - Non Violent	1,569	4	10	15,730
50S	Juvenile - Status	242		10	2,420
50V	Juvenile - Violent	854	4	10	8,580
60	552 Release Petitions	33		21	693
65F	Probation Violation - Felony	13,940	33	5	69,865
65M	Probation Violation - Misd	5,510	19	5	27,645
75	Special Writ	10		21	210
80	Appeal - Misdemeanor	5		83	415
82	Appeal - Other	5		83	415
	Totals	82,173	706		
				Case Hours	801,918
				Travel Hours	27,937
				Management Hours	32,000
				Total Hours	861,854
		Attorneys Required (861,854/1752)			492
		Number of Current TD Attorneys			300
2340.00	Standard Work Hours (45 hrs. *52 wks)		Number Needed		192
-51.50	Attorney Sick Leave				
-216.00	Holidays and Annual Leave	Total # of Attorneys Required			492
-320.50	Non Case Related Hours (13.7%)		Current # of Attorneys		300
1752.00	Available Attorney Case Hours		Need*		192

* Does not include CDU

TRIAL DIVISION FOUR YEAR PHASE IN

Due to the severe nature of this decision item and the costs involved to resolve this crisis, the Missouri State Public Defender is requesting that the funding to alleviate the crisis be phased in. MSPD is requesting a supplemental FY09 decision item to begin the funding of this relief. An additional, one-fourth of the costs is being requested in FY2010. Additional funding of the Missouri State Public Defender Protocol will be requested in future years.

Trial Division Protocol			
Protocol		Critical	
<u>Cost Breakdown</u>		FY09 Supplemental	FY10 Decision Item
Personal Service			
Assistant Public Defender III - Range 30	192	33	40
\$49,104	\$9,427,968	\$405,108	\$1,964,160
Paralegal/Investigators	64	5	15
\$28,596	\$1,830,144	\$35,745	\$428,940
Clerk III - Range 12	38	7	8
\$23,796	\$913,766	\$41,643	190,368
Legal Assistants	64	5	15
\$25,944	<u>\$1,660,416</u>	<u>\$32,430</u>	<u>\$389,160</u>
Total Personal Service	\$13,832,294	\$514,926	\$2,972,628
Expense & Equipment			
One-time Purchases			
Attorney Package	192	33	40
\$4,750	\$912,000	\$156,750	\$190,000
Paralegal/Investigator Package	64	5	15
\$4,865	\$311,360	\$24,325	\$72,975
Secretarial Package	38	7	8
\$10,700	\$406,600	\$74,900	85,600
Legal Assistant Package	64	5	15
\$4,865	<u>\$311,360</u>	<u>\$24,325</u>	<u>\$72,975</u>
Total One-Time Purchases	\$1,941,320	\$280,300	\$421,550
On-Going Costs			
Attorneys	192	33	40
\$9,750	\$1,872,000	\$80,438	\$390,000
Paralegal/Investigators	64	5	15
\$9,425	\$603,200	\$11,781	\$141,375
Secretaries	38	7	8
\$4,050	\$153,900	\$7,088	32,400
Legal Assistants	64	5	15
\$9,425	<u>\$603,200</u>	<u>\$11,781</u>	<u>\$141,375</u>
Total On-Going Costs	<u>\$3,232,300</u>	<u>\$111,088</u>	<u>\$705,150</u>
Total Expense and Equipment	<u>\$5,173,620</u>	<u>\$391,388</u>	<u>\$1,126,700</u>
Total Decision Item Request	<u>\$19,005,914</u>	<u>\$906,314</u>	<u>\$4,099,328</u>
Cost to Continue Supplemental			<u>\$2,504,054</u>
Trial Division Caseload Crisis Decision Total			<u>\$6,603,382</u>

Caseload Increase—Appellate Division**\$399,958**

As previously stated when discussing the critical need for more staffing in the trial division, MSPD has had no addition to its staff in eight years while its caseload has risen by over 12,000 cases. The same holds true in the Appellate Division. In fact, the Appellate Division has been reduced to meet the increasing critical needs in the Trial Division.

This decision item will only provide funding at the FY2008 caseload level and does not include any request for projections of the FY2009 or FY2010 caseload. The purpose of this budget request, is to request funding to allow MSPD to provide representation in those cases we already have.

A four year phase-in of this decision item is also recommended.

For a complete description of the Caseload Crisis Protocol, adopted by the State Public Defender Commission, please review the narrative for the Trial Division decision item.

Appellate Division Protocol			
Description	FY08 Cases Opened	Protocol Hours Required for Case Type	Hours Required for Case Type
Death Penalty PCR	2	NA	0
Felony Appeals	358	83	29,714
Misdemeanor Appeals	17	83	1,411
Juvenile Appeals	5	83	415
PCR Appeals	317	62	19,654
PCR 24.035 Trials	628	21	13,188
PCR 29.15 Trials	262	62	16,244
Other	65	21	<u>1,365</u>
Total Number of Cases	1,654		
	Case Hours		81,991.00
	Travel Hours		1,329.83
	Management Hours		<u>3,744.00</u>
	Total Hours		87,064.83
	Attorneys Required (87065/1752)		49.69
FY2008 - Public Defender Appellate Division Attorneys			<u>35.50</u>
Number of Additional Attorneys Required to meet Standard			14.19

Appellate Division Protocol

<u>Cost Breakdown</u>	Protocol	FY10 Decision Item
Personal Service		
Assistant Public Defender III - Range 30	14	4
\$49,104	\$687,456	\$196,416
Paralegal/Investigators	5	1.50
\$28,596	\$133,448	\$42,894
Clerk III - Range 12	3	1
\$23,796	\$66,629	23,796
Legal Assistants	5	1
\$25,944	<u>\$121,072</u>	<u>\$25,944</u>
Total Personal Service	\$1,008,605	\$289,050
Expense & Equipment		
One-time Purchases		
Attorney Package	14	4
\$4,750	\$66,500	\$19,000
Paralegal/Investigator Package	5	2
\$4,865	\$24,325	\$9,730
Secretarial Package	3	1
\$10,700	\$32,100	10,700
Legal Assistant Package	5	1
\$4,865	<u>\$24,325</u>	<u>\$4,865</u>
Total One-Time Purchases	\$147,250	\$44,295
On-Going Costs		
Attorneys	14	4
\$9,750	\$136,500	\$39,000
Paralegal/Investigators	5	1.50
\$9,425	\$47,125	\$14,138
Secretaries	3	1
\$4,050	\$12,150	4,050
Legal Assistants	5	1
\$9,425	<u>\$47,125</u>	<u>\$9,425</u>
Total On-Going Costs	<u>\$242,900</u>	<u>\$66,613</u>
Total Expense and Equipment	<u>\$390,150</u>	<u>\$110,908</u>
Total Decision Item Request	<u>\$1,398,755</u>	<u>\$399,958</u>

Funding Successful Retention**\$381,480**

In Fiscal Year 2007, repositioning adjustment increases were funded to classes of MSPD attorneys, which were experiencing extreme levels of turnover. At the request of Senator Gross, Chair of the Budget Committee at the time, the Personnel Advisory Committee reviewed the salaries paid to the Assistant Public Defender II, III and IV ranges. They also reviewed the salaries being paid to District Defenders. In large part due to that recommendation, repositioning adjustments were approved and funded.

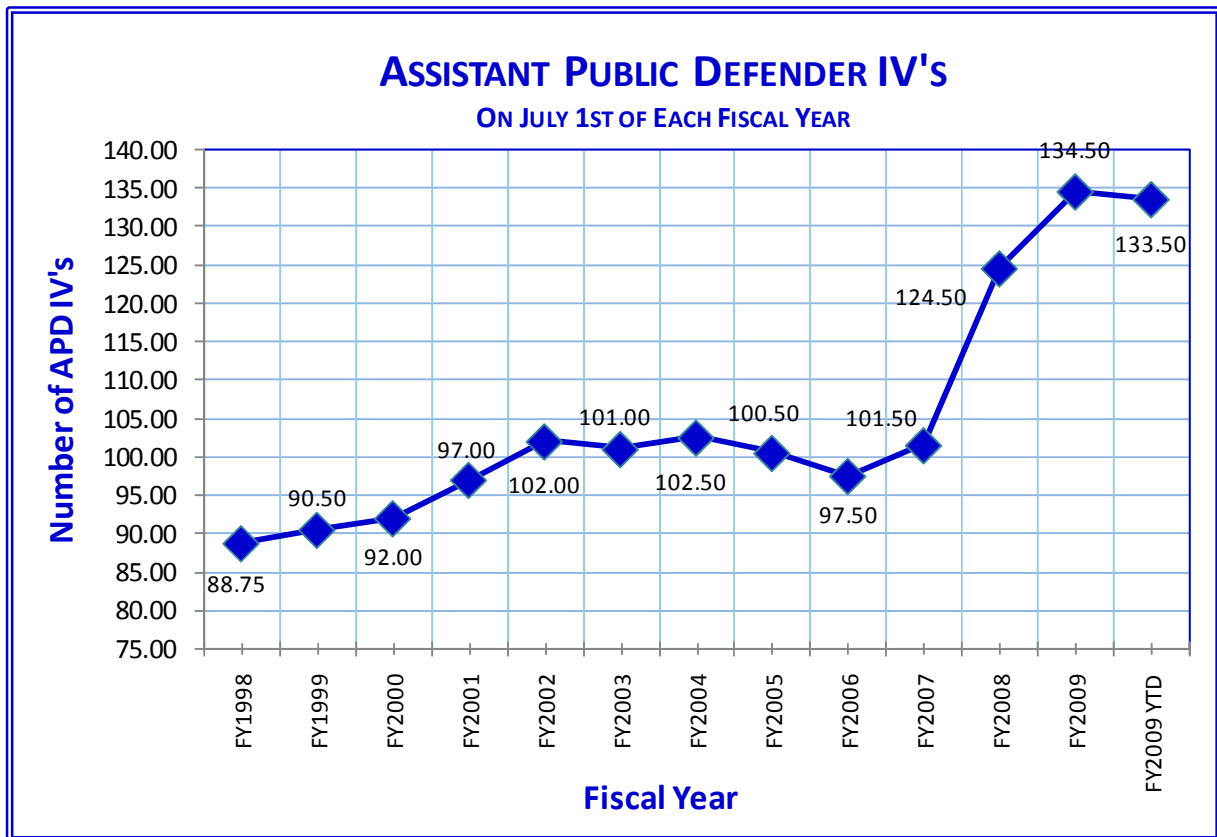
Missouri State Public Defender Repositioning Adjustment Plan April 1, 2006						
Job Title	# of FTE	2005 % Turnover	FY06 Salary	FY06 Cost	Repositioning %	Retention Adjustment
Assistant Public Defender II	108.00	26.21%	\$37,128	\$4,009,824	8.00%	\$320,786
Assistant Public Defender III	80.00	15.87%	\$41,784	\$3,342,720	8.00%	\$267,418
Assistant Public Defender IV	107.50	9.95%	\$57,298	\$6,159,535	4.00%	\$246,381
Assistant/District Defender	50.00	12.24%	\$60,285	\$3,014,250	4.00%	\$120,570
	345.50					\$955,155

History of Attorney Salaries Fiscal Year 2006-2009								
	FY06 Salary	FY07 Repositioning	FY07 COLA	FY07 Salaries	FY08 COLA	FY08 Salaries	FY09 COLA	FY09 Salaries
Assistant Public Defender I	\$33,792	0.00%	4.00%	\$35,148	3.00%	\$36,204	3.00%	\$37,296
Assistant Public Defender II	\$37,128	8.00%	4.00%	\$41,688	3.00%	\$42,936	3.00%	\$44,220
Assistant Public Defender III	\$41,784	8.00%	4.00%	\$46,284	3.00%	\$47,676	3.00%	\$49,104
Assistant Public Defender IV	\$57,298	4.00%	4.00%	\$61,882	3.00%	\$63,738	3.00%	\$65,650
(Average Salary)								
Assistant/District Defender	\$60,285	4.00%	4.00%	\$65,108	3.00%	\$67,061	3.00%	\$69,073
(Average Salary)								

The repositioning and subsequent salary increase for APD IV's have been successful. In April 2006, MSPD had 107.50 attorney positions at the APDIV level.

Since the repositioning, the number of APD IV's have increased by 26, or an average of 10 additional APD IV's per fiscal year. Currently a fiscal hold is being placed on Assistant Public Defender II to III and III to IV promotions because MSPD's personal service budget cannot support our projected payroll for the current and future fiscal years.

This decision item is to fund the continuing cost of the increased # of APD IV's successful retention.



Fiscal Year 2009 Continuing Costs of APD IV's	
Assistant Public Defender IV - (36 H)	\$60,324
Assistant Public Defender III - (30 J)	\$49,104
Annual Salary difference between III & IV's	\$11,220
Number of Additional IV's since Repositioning	<u>26</u>
FY 2009 Costs	\$291,720
Supplemental April through June 2009	\$72,930

Fiscal Year 2010 Continuing Costs of APD IV's	
Assistant Public Defender IV - (36 H)	\$60,324
Assistant Public Defender III - (30 J)	\$49,104
Annual Salary difference between III & IV's	\$11,220
Number of Additional IV's anticipated for FY2010	<u>8</u>
FY2010 Cost of Funding Successful Retention	\$89,760
Cost to Continue FY2009 Successful Retention	<u>\$291,720</u>
Total Cost of Successful Retention	\$381,480

Retention Crisis - Assistant Public Defenders I, II, and III**\$1,043,100**

The success of earlier repositioning adjustments in improving retention of the most senior assistant public defenders (APD IV's) has not extended to mid-level attorneys within the public defender system. Turnover for Assistant Public Defender II's remains at 20.22%, while that for III's hovers at 16.42% – compared to the significantly lower 11.54% for APD IV's. All three of these classifications received repositioning adjustments in FY2007, but the impact appears to have been far from equal.

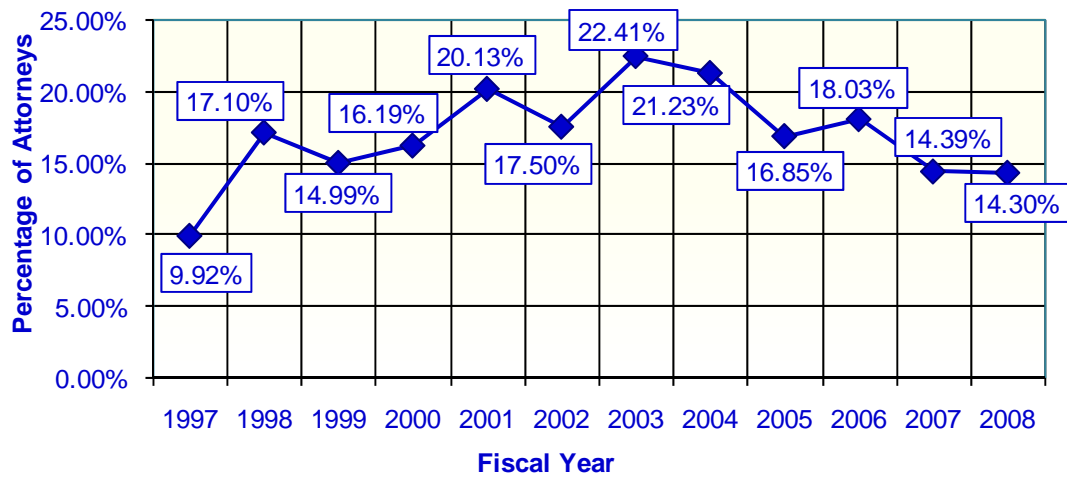
There are several likely reasons for this. APD IV's make a significantly higher salary than their mid-level counterparts – allowing them a much greater chance of providing for their families and making their student loan payments while still doing work they find meaningful on behalf of the state of Missouri. Their salaries are still beneath those of public defenders of comparable experience in surrounding states, but the repositioning adjustments do appear to have had an impact and turnover in this class has dropped. As a result, we are not asking for any salary increase for this class beyond funding the increased retention that resulted from the FY07 repositioning adjustments.

The same is not true for the attorneys at the lower and mid-levels of the public defender pay scale who continue to face a much tighter financial squeeze, even with the repositioning adjustments of FY2007. This group faces the same staggering student loan debt as their more senior counterparts, but with significantly less income to cover that debt and their other living expenses. Many hold second jobs – delivering pizzas, working in retail, bartending, truck driving, etc – trying to make ends meet. This makes it very hard to recruit, much less retain, a group of professionals who can walk across the courtroom to join the county prosecutor's office or down the street into the private sector and make significantly more than their MSPD salary.

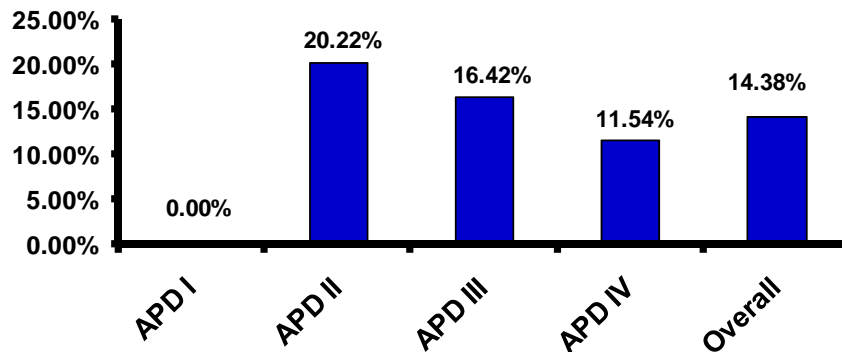
The inability of the State Public Defender to recruit and retain attorneys compromises the quality of justice and efficiency of Missouri's criminal justice system. Public defenders handle 83% of the felony cases filed in Missouri's criminal courts. These vacancies slow the judicial process and reduce the disposition rate of all of those cases in addition to costing the state real dollars in hiring and training. Exit and employment interviews repeatedly reveal low pay and high caseload as the reasons candidates do not choose to be employed or remain employed by the State Public Defender.

This decision item will increase mid-level assistant public defender salaries closer to levels determined by the Personnel Advisory Board, allowing the State Public Defender to compete in the public service marketplace for dedicated, qualified professionals who will become tomorrow's trainers, managers, and mentors, while handling the most complex criminal litigation within the state of Missouri.

Attorneys Leaving Public Defender System



FY08 Attorney Turnover Within Classifications



Cost of Attorney Turnover

Class Code	Description	FY09 Budgeted Salaries	Cost of Turnover
0400	Assistant Public Defenders	\$16,754,277	\$4,188,569
0460	District Defenders	\$3,136,179	\$784,045
			\$4,972,614

*Per the Personnel Advisory Board
Turnover Costs 25% of the Salary of the Positions

In March 2006 at the Request of Senator Chuck Gross, then chair of the Senate Budget Committee, the Personnel Advisory Board reviewed the salaries of the Missouri State Public Defender's Assistant Public Defenders. Included in the report was a comparison of these salaries with similar Public Defender salaries in other comparable states. In Fiscal Year 2008, MSPD has still not attained the levels comparably-situated public defenders in nearby states were being paid in FY06.

The FY2009 beginning salary of the MSPD APD II \$44,220 is still 8.76% less than the **2006** average salary of an Assistant Public Defender II in other states who were receiving at that time an average of \$50,430. To assist with equalizing this difference, the salary of an APD II should go to \$51,156. (Range 27, Step R)

The FY2009 beginning salary of the MSPD APD III \$49,104 is still 8.90% less than the **2006** average salary of an Assistant Public Defender III in other states, \$55,137. To assist with equalizing this difference, the salary of an APD III should go to \$55,548. (Range 30, Step P)

Assistant Public Defenders II and III August 28, 2008					
Job	# of	FY09	Proposed	Annual	Cost of
Title	FTE	Salary	Salary	Increase	Adjustment
Assistant Public Defender II	90.00	\$44,220	\$51,156	\$6,936	\$624,240
Assistant Public Defender III	65.00	\$49,104	\$55,548	\$6,444	\$418,860
	155.00				\$1,043,100

Attorney Salary Increases - District Defenders**\$1,729,404**

Public defenders and prosecuting attorneys face one another in every courtroom of this state. They are required to have the same education and to bring the same skills to the job. The heads of both offices are responsible for the same management responsibilities -- supervising attorneys and support staff, overseeing their respective budgets, and serving as spokesperson for their offices in issue concerning the administration of justice within their counties of responsibility, usually while also carrying a criminal caseload of their own. They are, in all respects, equal players in the criminal justice system -- in all respects, that is, except in terms of salary.

It is true that prosecuting attorneys are county, rather than state-funded, but it is the state which has set by statute what counties shall pay their full-time prosecuting attorney should they choose to have one. A \$35,000 disparity between what the state mandates counties pay the head of their prosecutor's office and what the state in turn pays the head of the counterpart defender office for what is in all essential respects the same work is both staggering and unjustifiable.

It is also true that a small number of counties still retain a part-time prosecutor who maintains a private civil practice on the side. However, every District Public Defender position is full-time because public defender offices cover multiple counties, ensuring more than enough work to sustain full-time defenders even in counties with only part-time prosecutors. And unlike prosecutors, the District Public Defender is prohibited from engaging in any other practice of law to supplement the salary s/he receives from the state. [RSMo. 600.021.2, Public Defenders "*shall not otherwise engage in the practice of law*"]. Neither Chapter 600 nor Public Defender Commission rule allows public defenders to maintain a private law practice.

This decision item will fund District Defender salaries, making them equal to that of a full-time prosecutor.

District Defender Assistant District Defender Parity with Prosecutors					
Job Title	# of FTE	FY08 Salary	Proposed Salary	Annual Increase	Cost of Adjustment
Assistant District Defender	5.00	\$69,320	\$80,000	\$10,680	\$53,400
District Defender	44.00	\$71,275	\$109,366	\$38,091	\$1,676,004
	49.00				\$1,729,404

Increased Operating Costs**\$110,797—FY2010****\$110,797—FY2009 Supplemental**

For Fiscal Year 2009 the state rate of reimbursement for mileage traveled in personal vehicles increased from \$.455 per mile to \$.475 per mile. In Fiscal Year 2008, State Public Defender Personnel traveled 2,122,597 miles. This represents an additional cost of \$42,452 dollars for Fiscal Year 2009. Even if the reimbursement mileage does not increase for FY2010, which is unlikely, the State Public Defender does not have sufficient Expense & Equipment monies to reimburse mileage and continue to pay other on-going costs.

At the close of Fiscal Year 2008, \$68,345 of on-going costs were unable to be paid from the FY08 Legal Services Expense and Equipment appropriation. This amount included some May Expense Accounts, Postage, utilities, office supplies, deposition costs, copy machine maintenance contracts, cleaning services and payment for copies of records. A like amount of funding should be added to FY2010 to allow MSPD to remain paying current invoices from current fiscal years.

Fiscal Year 2008 Costs	
Travel	\$42,452
Recover FY2008	\$68,345
Total	\$110,797

FY2008 Expenditures Paid from Legal Defense & Defender Fund		
OBJECT	DESCRIPTION	
2100	IN-STATE MILEAGE	\$17,453.50
2103	IN-STATE COMMERCIAL TRANS	\$116.29
2106	IN-STATE LODGING	\$490.37
2109	IN-STATE MEALS	\$27.53
2112	OTHER IN-STATE TRAVEL EXPENSE	\$276.24
2203	WATER & SEWAGE	\$105.84
2250	OFFICE SUPPLIES	\$2,902.19
2265	POSTAGE	\$1,841.08
2268	PUBLICATIONS & SUBSCRIPTIONS	\$159.50
2313	CUSTODIAL SUPPLIES	\$335.11
2328	MOTOR FUEL	\$358.02
2370	NOTARY SUPPLIES	\$50.00
2380	ORGANIZATION MEMBERSHIPS	\$4,399.25
2403	TELECOMMUNICATION CHRG	\$342.32
2415	PAGER & BEEPER CHARGES	\$87.88
2418	AUDIO/VIDEO CHARGES	\$140.00
2457	EXPRESS & FREIGHT SERVICES	\$289.32
2460	PRINTING & BINDING SERVICES	\$674.65
2478	LAUNDRY & LINEN SERVICES	\$196.00
2505	PROFESSIONAL COURT SERV	\$8,886.55
2541	INFO TECHNOLOGY CONSULT & SRVS	\$287.00
2544	OTHER PROFESSIONAL SERVICES	\$21,666.09
2547	HOUSEKEEP & JANITOR SERVICES	\$3,560.00
2598	OFFICE FURN & EQUIP REPAIR & MAINT.	\$2,439.78
2868	PARKING LEASES	\$595.00
2991	AGENCY PROVIDED FOOD	\$216.93
2995	COPIES OF RECORDS	\$448.56
		\$68,345.00

Caseload Increase—Trial Division– Legal Assistance**\$1,775,844**

In Fiscal Year 1990, Governor Ashcroft, with the assistance of the State Public Defender Commission, developed a plan to fund a statewide public defender system. The plan provided for public defender offices in all areas of the state to effectively service the indigent accused.

Since 1990, the caseload of the trial division of the public defender system has grown rapidly due to a number of reasons: legislation enacting new crimes and increased penalties on existing crimes, aggressive prosecution, the number of counties moving to full time prosecutors, drug cases, etc.

There is a decision item pending to fund the required 192 Trial Division attorneys necessary to provide effective representation of existing caseload. Many cases are administrative matters that can be worked up and partially handled by supervised legal assistants and paralegals. In addition, many cases consist mainly of sentencing negotiations and a search for alternatives to incarceration. This task could be more economically handled by legal assistants. The additional staff would not eliminate the need for attorneys, but the number of attorneys could be reduced by some percentage. Examples of these cases include traffic, criminal non-support passing bad checks and failure to return rental property and some first time offenses. In Fiscal Year 2008 the Trial Division provided representation in 16,710 of these cases.

Using the same National Advisory Commission on Criminal Justice Standards (NAC) for support staff as for attorneys, support staff could manage 400 Misdemeanors cases per staff person per year. The result is 41 additional legal assistants, paralegal/investigators and paralegals.

The ratio would be 1 paralegal investigator to every 3 legal assistants.

This option would save the cost of some of the attorney salaries vs. the cost of support staff.

Cases That Could Be Prepared by Legal Assistants		
Charge Code	Charge	FY08 Caseload
301.120	Failure to Register	278
301.130	Failure to Display Valid Plates	176
301.140	Displaying Plates of Another	99
302.020	Operating w/o a Valid License	579
302.321	Driving while Suspended or Revoked	5,928
303.024	Failure to Provide Proof of Insurance	16
303.025	Operating w/o Proof of Financial Responsibility	767
304.010	Speeding	328
304.012	Careless and Imprudent Driving	297
304.015	Failure to Drive on Right Side of Road	235
307.178	Seat Belt Violation	112
	Other Traffic	329
568.040	Criminal Non-Support	3,510
570.120	Passing Bad Checks	3,860
578.150	Failure to Return Rental Property	196
	Total FY08 Administrative Caseload	16,710

CURRENT MSPD SUPPORT STAFF RATIOS TRIAL DIVISION STAFF TO ATTORNEY RATIO

Our current Trial Division support staff to attorney ratio statewide is as follows:

- ♦ 1 investigator for every 6.75 attorneys
- ♦ 1 secretary for every 5 attorneys
- ♦ 1 legal assistant for every 9 attorneys
- ♦ 1 paralegal for every 60 attorneys

This is a statewide *average* and not a reality in every office. Since every office requires at least one secretary even if it only has 2-3 attorneys, other offices make do with 1 secretary and 1 investigator for as many as 8 attorneys and no legal assistant. Nine of our Trial Division offices do not have any legal assistants and only 4 have a paralegal position.

TRIAL DIVISION STAFF TO CASELOAD RATIO

In the Trial Division, staff to caseload may actually be a better measure of true need than staff to attorney positions. Using that measure, in FY08 the Trial Division had:

- ♦ 1 investigator for every 1,847 cases opened
- ♦ 1 secretary for every 1,353 case files opened
- ♦ 1 legal assistant for every 2,490 cases
- ♦ 1 paralegal for every 16,435 cases

Trial Division Staffing Fiscal Year 2009	
Attorneys	300.00
Paralegals	5.00
Secretaries	60.75
Investigators	44.50
Legal Assistants	33.00
Total Trial Division Staffing	443.25

Legal Assistant Alternative

Cost Breakdown

Personal Service

31.00	Legal Assistants at Range 15	\$25,944	\$804,264
5.00	Paralegal/Investigators at Range 23	\$34,644	\$173,220
5.00	Paralegals at Range 23	\$34,644	<u>\$173,220</u>
	Total Personal Service		\$1,150,704

Expense & Equipment

One-time Purchases

31	Legal Assistant Package	\$4,865	\$150,815
5	Paralegal/Investigator Package	\$4,865	\$24,325
5	Paralegal Package	\$10,700	<u>\$53,500</u>
	Total One-Time Purchases		\$228,640

On-Going Costs

31.00	Legal Assistants	\$9,750	\$302,250
5.00	Paralegal/Investigators	\$9,425	\$47,125
5.00	Paralegals	\$9,425	<u>\$47,125</u>
	Total Personnel Related On-Going Costs		\$396,500

Total Expense and Equipment \$625,140

Total Decision Item Request \$1,775,844

Office Space Requirements

\$2,081,294

When the Missouri State Public Defender System was established, the burden and expense of office space and utility services for local public defender offices was placed on the counties served by that office. That burden remains today in the form of RSMo. 600.040.1 which reads:

The city or county shall provide office space and utility services, other than telephone service, for the circuit or regional public defender and his personnel. If there is more than one county in a circuit or region, each county shall contribute, on the basis of population, its pro rata share of the costs of office space and utility services, other than telephone service. The state shall pay, within the limits of the appropriation therefore, all other expenses and costs of the state public defender system authorized under this chapter.

Some county governments have objected to and resent being required to pay for office space for a Department of State Government.

When the Missouri State Public Defender System was first established and RSMo. 600.040.1 was first enacted, public defender services in most areas of the state were provided through private attorneys who had contracted with Missouri's Public Defender System to provide such services. Since these private contract counsel provided services from their private offices, county governments did not have to provide office space and utilities.

In 1997, the legislature responded to the refusal of some counties to provide or pay for Public Defender office space. Language was added to House Bill 5, allowing for the interception of prisoner per diem payments to counties failing to meet their obligations under 600.040. The state has intercepted some money intended for counties that scoffed at their obligation, however, the interceptions and threat of interceptions have put great strain on state-county relations.

In 1999, the legislature once again addressed the problem of providing Public Defender office space. A new section, (RSMo. 600.101), was added which allows disputes between counties and the State Public Defender to be submitted to the Judicial Finance Commission (RSMo. 477.600). Section 600.101 also calls for a study and report from the Judicial Resources Commission to be prepared for the chairs of the House and Senate Judiciary Committees, Senate Appropriations Committee, and House Budget Committee.

Today, some county governments provide public defender office space in county courthouses or other county facilities, some counties rent office space and pay their pro rata share of that rent as required by statute. Some counties, strapped for office space for their own county officials, provide woefully inadequate space in county facilities. Some county governments provide no office space at all and refuse to provide rented office space outside county facilities.

Disputes have not only concerned whether or not office space will be provided at all, they have included where and what space will be provided. Either because of economic necessity or in passive resistance to their obligation, some counties house the Public Defender in woefully inadequate facilities. Public Defenders have endured the indignities of insect infestation, lack of privacy, leaky roofs, and cramped quarters, to name a few.

Counties simply have no interest in the adequacy of the Public Defender facilities, especially when they don't want to provide space at all. Most of our offices serve multiple counties. It is a logistical nightmare to have to get multiple commissioners in multiple counties to sign off on every change to a lease involving one of our offices. (including no less than 33 commissioners in our Chillicothe office, which covers 11 counties!) A number of counties refuse to provide or pay for additional space to accommodate growing defender staff, a problem that will greatly multiply if additional staffing is forthcoming in this legislative session. While MSPD has not received any additional staffing for the past 6 years, we do move positions among offices based upon growing / dropping caseload.

Some of the results:

- ♦ Attorneys doubled up in offices, making a confidential client meeting impossible;
- ♦ Attorneys literally setting up an office in the telephone / computer server closet, as well as taking over all public space in the office –break room, conference room, library – so that these generally standard areas in a law office are no longer available anywhere within in the office;
- ♦ Having to install locks on all filing cabinets and moving them into a public hallway to free up space for staff to squeeze in another desk;
- ♦ MSPD picking up the difference in the rent for additional essential space in a few situations despite a lack of funding for that purpose.
- ♦ Counties fight with MSPD and among themselves when more than one county covered by an office has available 'free' county space and doesn't want to contribute cash to another county instead. These disputes have escalated to lawsuits between counties on at least one occasion. The State Public Defender Commission is interested in locating offices in multi-county Districts where they will be the most effective and efficient use of state resources. Counties do not share that interest, preferring the office to be located where it will cost the least and have the most positive economic impact on their local economy, efficiency and the desires of other counties and the State Public Defender notwithstanding.
- ♦ Some counties flatly refusing to pay any rent for an office not located in their county, with the result that MSPD must pick up their portion of the lease cost, despite a lack of funding for this purpose. There is a provision for the state to intercept prisoner per diem reimbursement costs to cover unpaid county liabilities for public defender office space. MSPD tried to invoke this at one point in the past, but was asked by the then gubernatorial administration to forego the remedy because of the hostility being caused between the state and the counties as a result of the intercept.
- ♦ Receiving an eviction notice because six counties refused to pay, between them, a total increase of \$48.67 per month imposed by the landlord. To prevent the eviction, MSPD agreed to pay the difference. This office has now been relocated.

- ♦ Some counties provide space that is in very poor shape and unfit for a law office. We have been placed in office space where the ceiling tiles were crumbling onto the attorneys' desks, where the 'closed file room' was a basement with a dirt floor that turned to mud with every rain, in offices with asbestos, cockroaches, and termite infestations. Such unsuitable and difficult working conditions undoubtedly contribute to our turnover, as well as to reduced productivity, yet MSPD's hands are tied..

The State Public Defender is not interested in securing fancy, luxurious offices. It's interest is to have facilities adequate to ensure efficient, effective use of personnel and other resources appropriated to the Department.

The State Public Defender Commission is interested in locating offices in multi-county Districts where they will be the most effective and efficient use of state resources. Counties do not share that interest, preferring the office to be located where it will cost the least and have the most positive economic impact on their local economy, efficiency and the desires of other counties and the State Public Defender notwithstanding.

In summary, the current statutory scheme requires counties to cooperate with each other, and with this Department, to provide office space for a Department of State Government. They do so under the threat of prisoner per diem interceptions. It is a formula for conflict between the State Public Defender and counties, as well as between counties of multi-county districts. The problem is sure to get worse in the future. Under the current statute, Missouri's Public Defender Commission is unable to establish and/or expand offices as needed or where needed as caseload varies from year to year.

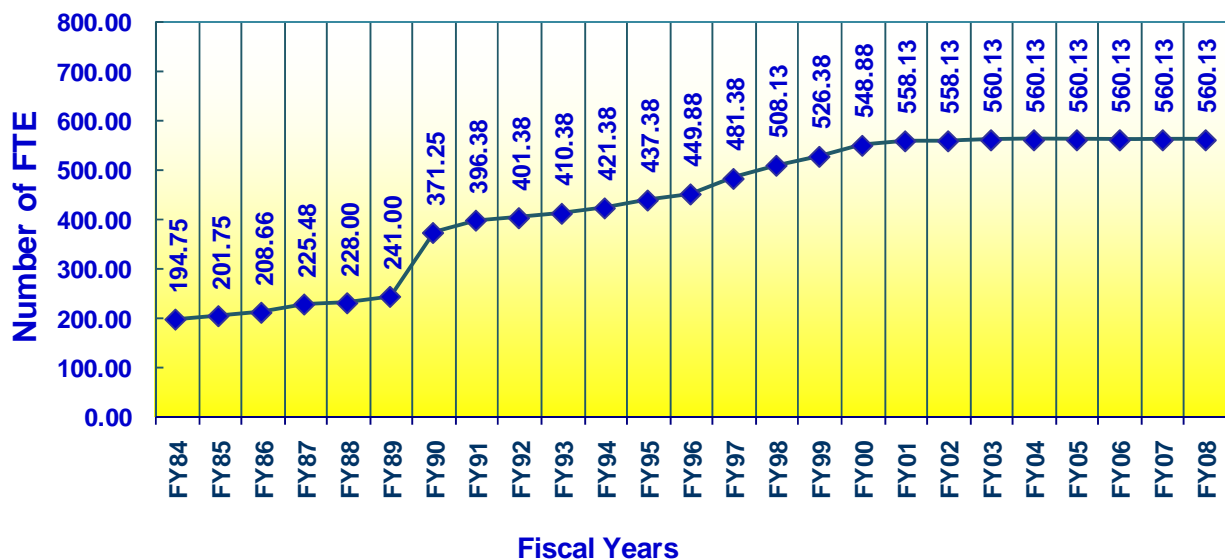
The physical plant of local public defender offices varies greatly, depending upon the ability and/or willingness of local county governments to provide office space. Some public defender offices have adequate space, which greatly enhances their efficiency. Other offices have woefully inadequate space and their ability to effectively and efficiently accomplish their mission is greatly reduced. Under the current statute, the administration can do little to ensure the adequacy and uniformity of office space in local public defender offices.

A change in the legislation, specifically repealing portions of RSMo. 600.040.1, is recommended. Although probably adequate at the time the public defender system was first organized, this Department has grown far beyond its humble beginnings and the original intent of RSMo. 600.040.1.

The legislature, judiciary and public demand a swift, efficient administration of justice. In order to meet that demand, the Missouri Public Defender System needs adequate, efficient physical plants in all its offices. This need is simply not being met under the current statutory scheme.

Fiscal Year	Number of FTE		Fiscal Year	Number of FTE
FY83	200.30		FY97	481.38
FY84	194.75		FY98	508.13
FY85	201.75		FY99	526.38
FY86	208.66		FY00	548.88
FY87	225.48		FY01	558.13
FY88	228.00		FY02	558.13
FY89	241.00		FY03	560.13
FY90	371.25		FY04	560.13
FY91	396.38		FY05	560.13
FY92	401.38		FY06	560.13
FY93	410.38		FY07	560.13
FY94	421.38		FY08	560.13
FY95	437.38		FY09	560.13
FY96	449.88			

- State Public Defender - FTE Growth



Cost of Renting Office Space for All Local Public Defender Offices
Revised September 2, 2008

		Est.	Estimated	Estimated	Janitor/		
Office		Sq. Ft	Total Rent	Utilities	Trash	Total Cost	Comment
Kirksville	CL	1,777	\$11,400	Inclusive	\$1,200	\$12,600	Counties Lease - Inadequate - Expired
Maryville	CL	1,590	\$9,000	Inclusive	\$1,200	\$10,200	Counties Lease
St. Joseph	CL	5,400	\$31,050	Inclusive	\$0	\$31,050	County Lease
Liberty	CO	3,856	\$60,000			\$60,000	In County Owned Space
Hannibal	CL	2,394	\$34,644	Inclusive	\$2,700	\$37,344	Counties Lease
St. Charles	CO	3,295	\$50,000			\$50,000	In Courthouse
Fulton	CL	3,440	\$27,600	\$860	\$1,500	\$29,960	Counties Lease
Columbia	CO	3,895	\$62,500		\$3,600	\$66,100	In County Owned Space - Inadequate
Moberly	CL	1,822	\$30,980	\$7,745	\$3,600	\$42,325	Counties Lease
Sedalia	CL	2,500	\$37,800	Inclusive	\$3,000	\$40,800	Counties Lease - Lease Expired
Kansas City	CL	13,000	\$250,000	Inclusive	\$0	\$250,000	County Lease - Lease Expires 12/31/2008
Harrisonville	CL	2,718	\$42,600	\$10,650	\$3,600	\$56,850	Counties Lease
Jefferson City	CO	2,635	\$35,573			\$35,573	County Owned Space
Union	CL	2,500	\$37,500	Inclusive	\$1,200	\$38,700	Counties Lease - Inadequate - Expired
St. Louis County	CO	11,053	\$250,000	Inclusive	\$0	\$250,000	In Courthouse
St. Louis City	CO	12,644	\$300,000	Inclusive	\$37,440	\$337,440	In Carnahan Courthouse
Hillsboro	CO	1,964	\$37,500	\$0	\$0	\$37,500	In Courthouse
Farmington	CL	2,833	\$34,596	\$8,649	\$3,000	\$46,245	Counties Lease
Rolla	CL	2,854	\$23,400	\$5,850	\$2,700	\$31,950	Counties Lease
Lebanon	CL	3,050	\$28,800	\$7,200	\$2,700	\$38,700	Counties Lease
Nevada	CL	1,590	\$20,000	Inclusive	\$1,500	\$21,500	Counties Lease - Inadequate- Expired
Carthage	CO	3,920	\$125,000	Inclusive	\$0	\$125,000	In County Owned Space -Inadequate
Bolivar	CL	1,550	\$14,100	\$3,525	\$3,600	\$21,225	Counties Lease
Springfield	CL	5,100	\$117,950	Inclusive	\$3,600	\$121,550	Counties Lease
Jackson	CO	2,409	\$50,000			\$50,000	In County Owned Space
Caruthersville	CL	1,964	\$20,000	Inclusive	\$960	\$20,960	Counties Lease - Expired
Kennett	CL	1,777	\$33,000	\$8,250	\$960	\$42,210	Counties Lease
Poplar Bluff	CO	2,692	\$37,500	\$0	\$0	\$37,500	County Owned Space
West Plains	CL	1,777	\$13,800	Inclusive	\$1,500	\$15,300	Counties Lease
Monett	CL	1,898	\$27,600	\$6,900	\$1,680	\$36,180	Counties Lease
Chillicothe	CL	2,085	\$26,700	Inclusive	\$2,100	\$28,800	Counties Lease
Ava	CL	1,777	\$24,650	\$6,163	\$1,920	\$32,733	Counties Lease - Inadequate -Expired
Troy	CO	1,186	\$25,000	\$0	\$0	\$25,000	In County Owned Space
Columbia Defenderplex	SL		\$250,000	Inclusive	\$0	\$250,000	State Public Defender Pays
St. Louis Defenderplex	SL	10,788	\$259,171	Inclusive	\$0	\$259,171	State Public Defender Pays
KC Defenderplex	SL	7,319	<u>\$91,872</u>	Inclusive	\$0	\$91,872	State Public Defender Pays
		133,052	\$2,531,286	\$65,792	\$85,260	\$2,682,337	CO=County Owned
		Less: Current Agency Payments				\$601,043	SL= State Lease
							CL= County Leases
		Total Implementation Costs				\$2,081,294	

MISSOURI STATE PUBLIC DEFENDER SYSTEM

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Area 34 -- New Madrid, Pemiscot Counties

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